



**THE ROYAL CANADIAN LEGION  
OFFICER'S MANUAL**

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## PREFACE

The Legion Officers' Manual provides clarification, guidelines, and policies associated with Branches and other entities under the jurisdiction of the Ontario Provincial Headquarters.

The Following subjects are covered in the Manual for the knowledge and reference of Members:

- Branch Officers and associated policies.
- PEC Expense Policy, Service Bureaus, and Visitation Policy.
- Committees and their Terms of Reference
- Complaint Procedure under Article III of The General By-Laws.
- District and Zone as Command Administrative entity.
- Ladies' Auxiliary
- Organization and Structure of Dominion and Provincial Commands.
- Provincial Legislation applicable to Branches.

Any amendments to the above mentioned matters will automatically supersede the contents of this manual and Members are encouraged to reference the most current edition of any document which in many situations will be found on the Command Website <http://www.on.legion.ca/> .

Gender-neutral references should be used and have been updated in amended sections on an ongoing basis. Examples of gender-neutral terms are Chair, they, their, etc.

Ontario Command vs Provincial Headquarters? We are using both terms in our publications, writings, etc.

Ontario Command embodies all the members whereas the Provincial Headquarters is the physical office where the administrative work is done.

Mailing Address and physical location:

The Royal Canadian Legion  
Ontario Provincial Command  
89 Industrial Parkway North  
Aurora Ontario L4G 4C4

## LEGEND

<b>GBL</b>	General By-Laws
<b>GBLO</b>	General By-Laws (Ontario Provincial Command)
<b>GBLB</b>	General By-Laws for Branches of the Ontario Provincial Command
<b>OC</b>	Ontario Command
<b>PEC</b>	Provincial Executive Council
<b>PAC</b>	Provincial Administrative Council
<b>DEC</b>	Dominion Executive Council
<b>PH</b>	Provincial Headquarters
<b>SEO</b>	Senior Elected Officers

<b>AGCO</b>	Alcohol & Gaming Commission of Ontario
<b>BCR</b>	Branch Clubhouse Rules
<b>BOT</b>	Break Open Ticket
<b>BOT</b>	Board of Trustees
<b>BSO</b>	Branch Service Officer
<b>CASL</b>	Canada Anti-Spam Legislation
<b>ESA</b>	Employment Standards Act
<b>FRC</b>	Financial Review Committee
<b>HST</b>	Harmonized Sales Tax
<b>OSIS (OSI)</b>	Operational Stress Injuries Section
<b>OTF</b>	Ontario Trillium Fund
<b>RAP</b>	Ritual, Awards and Protocol Manual
<b>PIPEDA</b>	Personal Information Protection Electronic Data Act
<b>PPM</b>	Policy and Procedure Manual
<b>RCEL</b>	Royal Commonwealth Ex-Services League
<b>TVS</b>	Tuberculous Veterans' Section
<b>VAC</b>	Veterans Affairs Canada
<b>WSIB</b>	Workplace Safety and Insurance Board

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## **THE BRANCH**

The corporate status of a Branch is defined through the Act to Incorporate and the GBL. The primary unit of the Legion is the Branch, and each Branch shall exercise autonomy with regard to its affairs and shall have the power to approve By-Laws and Regulations to govern its activities so long as they are consistent with the Act of Incorporation and By-Laws passed under its authority – Section 9 (1) of The Act to Incorporate.

Any Branch may sue or be sued in its own name – Section 9 (2) of The Act to Incorporate.

No Branch may, without the consent in writing of the Provincial Command having jurisdiction over the Branch, hypothecate, mortgage, pledge, lease, sell, convey or otherwise dispose of its real or personal property, except in the ordinary and usual course of its activities. A Notice of Motion, so resolved by a two-thirds majority vote of the members of the Branch, in good standing, present and voting – Section 11 (2) of the Act to Incorporate. Fourteen (14) days notice in writing by mail to all members in good standing is required - The Royal Canadian Legion Act 1990. All property related expenditures in excess of \$25,000, during the course of the fiscal year, from any Branch account or fund, must have written approval from the Provincial Property Committee prior to commitment of the expenditure. Refer to the Property Section for procedure.

### **THE LEGION ACTS – 1965 AND 1990**

The Legion Act 1965 preceded the Legion Act 1990 and the two Provincial pieces of Provincial legislation complement each other. The 1965 Act outlined the powers of Branches and Commands to hold property and specified that the property of the Command or branch could be held in the name of the Command or Branch. Following the 1965 Legion Act, the By-Laws of Ontario Command were later changed to require that the property of the Branch ‘shall’ be held in the name of the Branch. This change occurred in 1971 and can be found in the current Provincial By-Laws in Section 905. All Branches shall hold branch property in the name of the Branch and not in the name of trustees.

The Legion Act 1990 outlines the process that must be followed for property transactions and borrowing. It reads as follows:

WHEREAS The Royal Canadian Legion, herein called the Legion, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. (1) Despite any other general or special Act, no Branch of the Legion may mortgage, lease or convey real property unless,

- (a) It is authorized by resolution passed by a two-thirds majority vote of the members of the Branch in good standing who are present and vote at a special or general meeting of the Branch; and
  - (b) The consent in writing of the Ontario Provincial Command or the Manitoba and Northwestern Ontario Provincial Command, as applicable, is first obtained.
- (2) Notice of the meeting under clause (1) (a) shall be given to members in good standing by mailing it to the last known address of the member at least fourteen (14) days before the meeting as per GBLO Section 918 (2).
2. (1) If the charter of the Provincial Command of the Legion is revoked or suspended, the Dominion Command of the Legion may register in the proper registry or land titles office a certificate, signed by the President and Executive Director under the seal of the Dominion Command, stating that the charter of the Provincial Command has been revoked or suspended.
- (2) Upon the registration of the certificate under subsection (1), the real property held in the name of the Provincial Command vests in the Dominion Command.
- (3) A certificate registered under subsection (1) shall contain a reference to this Act.
3. The Royal Canadian Legion Act, 1975, being chapter 24, is repealed.
4. This Act comes into force on the day it receives Royal Assent.
5. The short title of this Act is The Royal Canadian Legion Act, 1990.

The Royal Canadian Legion is incorporated at the national level only: For purposes of applying for grants, Branches are asked for Dominion Corporation information about our organization. Here is the information needed:

*Corporation Number* 058870-9

*Business Number (BN)* 107928798RC0001

*Corporate Name:* The Royal Canadian Legion.

*Governing Legislation:* Special Act of Parliament-1948-06-30. As amended 1981

*Registered Office Address*

86 Aird Place Ottawa ON K2L 0A1

No Branch may become incorporated under the laws of Canada or any Province or cause a corporation to be formed for the purpose of holding or administering any of its property – GBLO Section 122. a.

The real property that may be held or acquired by a Branch shall be held in the name of the Branch GBLO Section 905. A Branch, when preparing Branch Regulations, Policies and Procedures, shall not include a section covering a Board of Trustees.

The real or personal property of any Branch that has been wound up, dissolved or suspended or the charter of which has been revoked or suspended vests in the Provincial Command of the Province wherein the property is situated and **only such property is liable for the debts or liabilities of such Branch** – Section 10 (1) of the Act to Incorporate.

Upon the winding up or dissolution of any Branch, the property of that Branch shall not be distributed to or for the benefit of the members thereof – Section 10 (2) of the Act to Incorporate.

*Upon the surrender of a Branch Charter, all property and finances will be vested to the Command. A Branch may apply to the Administrative Committee of Ontario Command for any or all of the surplus remaining, after all debts and liabilities have been satisfied, to be used to benefit the community in which the Branch is located. – GBLO Section 928.*

In all cases, upon the surrender of a charter or amalgamation of one Branch with another Branch, the Branch officers are responsible to ensure that a final financial statement is prepared, reconciling all funds received and disbursed in the final period. The Branch officers must further ensure that records are retained in accordance with the policy on the ‘disposition of Branch records’ outlined in this manual in the chapter entitled ‘PROCEDURE TO SURRENDER A CHARTER OF A BRANCH’.

## **DOMINION COMMAND POLICY – USE OF THE TRADEMARKS**

### **General**

The trademarks of The Royal Canadian Legion and owned by Dominion Command are:

- a. The words “Canadian Legion”, “Legion” and “The Royal Canadian Legion”;
- b. The Legion badge/crest;
- c. The Legion Logo;
- d. The Legion tie; and
- e. The Poppy Symbol

None of these trademarks may be used in any manner or configuration without the specific written permission of Dominion Command. Without an effective and visible policy of trademark control, the Legion runs the risk of losing its trademarks. Therefore, the following policy guidelines pertain.

## **Signage**

Commands and Branches of The Royal Canadian Legion are authorized to use the badge/crest or logo and associated titles of The Legion in all building signage on Legion property. Use of the Dominion Command trademarks for signage at other facilities which do not belong to the Command or Branch such as cemeteries, theatres, civic centres, highways, etc., may only be authorized with the specific permission of Dominion Command. Use of the Poppy symbol on signage of any configuration must first be approved by Dominion Command.

## **Letterheads and Printed Products**

Commands and Branches are authorized to use the Legion badge/crest or logo on letterheads and printed material as appropriate. These same trademarks may be used on all Command or Branch paper products (such as napkins and place mats) which are supportive of Command or Branch operations or activities. The Poppy symbol may be used by Commands and Branches for printed materials to be used in support of the Poppy Campaign.

## **Regalia**

Dominion Command is the sole authority for the design, distribution and use of regalia items containing Legion trademarks.

## **Production of Non-Regalia Consumer Items by Commands and Branches**

Dominion Command reserves the right to produce and market non-regalia consumer items of a general nature across the Legion.

Provincial Commands are authorized to market non-regalia consumer items to Branches and members within the Command. Branches are also authorized to market pins, crests and other non-regalia consumer items to Branch members. However, the use of the Legion trademark such as the crest or logo must be accompanied by the Command or Branch name in the design to identify it as a Command or Branch initiated consumer item. These items will normally consist of pins or non-regalia dress items such as sweaters, jackets, ball caps, etc., affixed with the Legion crest and the Command or Branch identifier. Other Command or Branch identified consumer items may be produced as well.

Commands and Branches are not authorized to use the Poppy symbol for the design and production of Command identified consumer items. Dominion Command reserves the sole right to market Poppy related items.

Commands may not market items outside the jurisdictional boundary of the Command.

**The Poppy Symbol Trademark** - refer to the current Poppy Manual for detailed information.

As indicated earlier, the Poppy symbol may be used by Commands and Branches for printed materials in direct support of the Poppy Campaign. However, Commands and Branches are not authorized to use the Poppy symbol for other purposes or for the design or production of any consumer or resale items. Requests from Commands or Branches to use the Poppy symbol in the

promotion of Remembrance on licence plates, signage or other items of Remembrance, which are unique to the Command or the Branch, are to be forwarded to the Secretary of the Poppy and Remembrance Committee, Dominion Command.

On occasion, Dominion Command may produce resale items containing a Poppy symbol in order to help promote Remembrance.

### **Unauthorized Use of Legion Trademarks**

Commands and Branches are requested to report unauthorized uses of Legion trademarks to the Dominion Command Director of Supply and Sales.

For further information and a copy of the Canadian Legion Trademark Control Contract, please check the Supply section on the Dominion web site at [www.legion.ca](http://www.legion.ca).

### **Organized Groups within Branches**

Branch Regulations may provide for the formation of organized groups within the Branch providing they are administered by the Branch Officers and the funds are administered by the Branch Treasurer – GBL Section 614.

The formation of organizations within a Branch and the control of them are determined by the GBLB Section 710. and as provided for in the Branch Regulations.

Organized clubs within a Branch are merely a loose association of individuals with a common interest without legal entity and therefore no status.

The only legal entity is the Branch. Any other entity is prohibited by the GBL.

### **Qualification to vote or hold office**

Except as otherwise provided in the General By-Laws, only Ordinary, Life, Associate and Affiliate-Voting members in good standing shall have the right to vote or hold office at any level of the Legion – GBL Section 111. a.

No person shall be nominated for any office in the Legion unless present or having signified in writing a willingness to accept such office and signed by a member in good standing - GBL Section 111. b.

All Branch officers, elected or appointed, shall have the right to vote at Branch Executive meetings – GBL Section 111. c.

Branch By-Laws will require a member to serve one term on a Executive Committee to be eligible for the office of President or Vice-President and be a member of a Branch for one year to be eligible to be elected to the Executive Committee – GBLB Section 402 & 403.



## **Branch By-Laws**

Approval was given at the 2009 Provincial Convention held in Burlington, to create one set of *General By-Laws for Branches* to govern **all** Branches within Ontario Command. These By-Laws are contained in a separate section within the GBLO.

Branch Regulations are created to address specifics of each Branch, such as: Term of office, date and time of general meetings date and time of annual/biennial elections, quorums. etc. See the chapter “Branch Regulations”.

## **Provincial Command By-Laws – Section 512.a of the Dominion By-Laws**

Provincial Command By-Laws and any amendments thereto shall not become effective until approved by the Dominion Command Constitution and Laws Committee.

## **Convention**

Any delegate, accredited by the Branch of which they are a member, may carry, in addition to their own credentials, up to four proxy votes from the Branch of which they are a member, or any other Branch or Branches within the Command. A delegate may also be a member of another Branch within Ontario Command but may not carry proxies – GBLO Section 317.

All changes of Legion policy and administrative procedures resulting from resolutions passed or By-Law amendments enacted by Conventions shall, unless otherwise specified, by By-Law and presented to Convention for approval, take effect on the first day of the fifth month following Convention or 1 January, whichever comes first. – GBL Section 921.

## **Notice of Branch Meetings**

The Branch must communicate to all members the date and time of the general meeting at least seven (7) days prior to the meeting date. See GBLO Section 918 (4). Notice of a Branch general meeting contained in the Branch Bulletin will suffice if distribution of the bulletin can be achieved before the next general meeting. **Note:** this is not required if the Branch has a Command approved Regulation that has determined the day and time of its general meetings

For mortgaging, leasing, or conveying property, a notice of motion is required. It must be communicated to all members in good standing at least fourteen (14) days prior to the meeting at which the matter is discussed. See GBLO Section 918. (2) See Notice of Motion – Generic

## **Appointments to the Executive Committee**

Although Branch By-Laws require that a member must be a paid-up member in the Branch for the year in which the election is held and have held membership in the Branch for a period of one year prior to the date of the election meeting, in order to qualify for election to the Branch Executive Committee, there is no provision in the General By-Laws to prohibit a paid-up member of the Branch with less than one year of service in the Branch from being appointed to

the Executive Committee, i.e. Chair of a Standing Committee or to complete an unfinished term caused by resignation, death, etc. This would also apply to the position of Vice-President.

The member in question would have the same rights and privileges as if they had been elected.

### **Appointment/Election Standing Committee Chairs**

Each Branch shall be required to appoint the following Chairs who shall be members of the Executive Committee:

- (a) Legion Seniors
- (b) Membership
- (c) Poppy
- (d) Public Relations
- (e) Sports
- (f) Track and Field
- (g) Leadership Development
- (h) Veterans Services
- (i) Youth Education

### **Note**

The Veterans Services Committee and the Legion Seniors Committee amalgamated at the Provincial level in 2003 and most Districts have also amalgamated the two Committees. At the Branch level, a separate Chair for each Committee is required to ensure sufficient direction and resources to deliver both programs.

### **Installation of Officers**

Branch Officers and members of the Executive Committee shall take office and assume their duties and responsibilities on June 1st and shall be installed in accordance with the Ritual on or before this date – GBLO Section 911. (2).

The Installation Ceremony is to be performed by an installation team comprised of members of The Royal Canadian Legion upon invitation by a Branch and that Branches shall advise the Zone Commander of the date and time of such Ceremonies - 1979 Convention.

The Provincial Convention (1971) has directed that the Installation Ceremonies are not the responsibility of the Senior Elected Officers. The District/Zone Commanders hold this responsibility but, in their absence, the ceremonies may be conducted by a Committee of the Branch Past Presidents or a Branch Installation Team.

## **Branch Visitation**

From a legal viewpoint, a Branch is autonomous; however, in the interest of comradeship a member in good standing should ordinarily have the privilege of visiting other Legion Branches - 1986 Dominion Convention.

## **Manuals**

It is the responsibility of the Branch President and the Executive Committee to ensure that the most recent edition of the Provincial and Dominion By-Laws, Manuals, etc., are available to the membership in order that those responsible for the leadership within the Branch have access to Legion legislation.

## **Use of Land Acknowledgements**

It is now common practice to include a land acknowledgement prior to Opening Ceremonies at Legion meetings. This is a statement that a public event is taking place on land originally inhabited by Indigenous peoples. Land acknowledgements mark a small and important step in the process of reconciliation and building a positive relationship with Indigenous peoples. By making a land acknowledgement you are taking part in an act of reconciliation, honouring the land and Indigenous presence which dates back over 10,000 years. Local municipal authorities can provide you with your local Indigenous land information. An example is displayed below.

### **LAND ACKNOWLEDGEMENT**

We acknowledge that the Royal Canadian Legion Branch \_\_\_\_\_ is located on the traditional territories of the \_\_\_\_\_ peoples and the treaty land of the \_\_\_\_\_ First nations, and other indigenous peoples whose presence here continues to this day. We thank them for sharing the land with us.

## **Dress Regulations – Legion Branches**

Branches are considered to be private clubs and they can therefore make their own rules governing access, conduct and dress of members and their guests while they are on Branch premises; however, Branch clubhouse rules or inhouse policies that deny entry to members and guests because of their religious obligation to wear a particular head covering contravene the laws of Canada.

When public access is permitted to areas on Branch premises (for example, when meeting rooms are rented to an outside agency or organization for any purpose) Branch dress regulations do not apply to the rented areas.

## **Remembrance Day Ceremonies**

It is the Legion's position that Remembrance Day Ceremonies are held to honour those Canadians who paid the supreme sacrifice in any conflict in which Canada was officially

engaged and under no circumstances should these occasions be used by any organization seeking publicity, platform for protest or recognition of other grounds.

Those wishing to pay respect to our Comrades on such occasions should be welcome to do so either by attending the Ceremony or by placing a wreath on the memorial immediately following the official Ceremony -1988 Convention.

Where the Legion controls the parades associated with Remembrance Day Ceremonies, it is generally not considered appropriate for non-Canadian organizations to march as a group. Nor should we permit any organization whose interests' conflict with the avowed purposes and objects of the Legion to participate in our Remembrance Parades and Services. Traditionally, Canadian Veterans' groups that participate in these Ceremonies do so because of their association with those who served with and/or within Canada's forces.

### **General**

The channel of communication shall be from the member to the Branch and from the Branch through its Command. – GBL Section 110.

No Branch shall at any time, appeal for financial contributions or payments of money from the public or from the membership of the Legion, beyond the area in which such Branch normally operates and exercises jurisdiction – GBL Section 129. a.

Each Branch shall supply forthwith such information relating to the affairs of the Branch as may from time to time be required by its Provincial Command - GBL Section 1205. b.

Branch Officers and Executive Committee Members may be elected for a two-year term if the Branch specifies a two-year term in the approved Branch Regulations. The term shall be from June 1 to May 31 of the following year and applies to Standing Committee Chair with the exception of the Track and Field Chair whose term of office shall be August 1 to July 31 of the following year.

## BRANCH OFFICERS

### PRESIDENT

The President, as the Chief Executive Officer of the Branch, exemplifies to the membership, the fundamental qualities of leadership. As its leader, they have the ultimate responsibility for whatever happens, and their function is and will remain that of directing the members.

As the Chief Administrator of the Branch, they are its representative in the community and their basic or essential character must show a combination of discretion, enterprise, integrity, responsibility, decisiveness, judgment, etc. While exercising leadership, they will accept direction from the Branch.

The General By-Laws limit the authority of a Branch President to carrying out the directives of the Executive Committee and the General Meeting and, further they should exercise a democratic approach to conducting the affairs of the Branch by recognition of the authority of the Executive Committee.

The President of a Branch does not have the authority to overrule a decision(s) of the Executive Committee or the General Membership.

The By-Laws are specific, in that, the President is a member of the Zone Executive Council and **obligated** to attend both Zone Council and Zone Conventions. If unable to attend, a Vice-President should represent the President on these occasions.

It is the President's responsibility to ensure that the Branch is represented at Zone and District Conventions with its full complement of delegates.

If the Branch does not have an elected Chair, the President, by virtue of the office, is the Presiding Officer at all meetings and will enforce order and strict observance of the By-Laws, except that the Executive Committee may name some other member to act as Chair for the conduct of elections at the annual meeting.

The President shall exercise a general supervision and control over the officers and business of the Branch and shall call meetings of the Executive Committee or of the Branch, in accordance with the By-Laws. The President shall transact such other business as may by custom pertain to the office and shall have the casting vote when there shall be an equal division on any question, provided they have not already voted on that question.

When appointing members to a committee, careful thought and consideration should be given to same. The President must be able to recognize ability, delegate effectively and be positive with plans and decisions.

## IMMEDIATE PAST PRESIDENT

A President becomes the Immediate Past President on the election of their successor – Section 114.a. of the GBL.

A President who resigns before the term of office is completed is not the Immediate Past President – GBL Section 114.b. **Note:** A resignation nullifies any claim to the position of the Immediate Past President, even though they may have served two or more consecutive terms in office.

In the event of the death, resignation or inability to act, or removal of the Immediate Past President, the position of Immediate Past President may be filled for the remainder of the term by the appointment of a former President by the Branch Executive – GBL Section 114.c. In the event that a former President is not found, the position may remain vacant.

The Immediate Past President shall be an Officer and member of the Branch Executive Committee – Section 613.a. GBL. The Immediate Past President has knowledge and experience, which can be an invaluable resource to the President, the Executive Committee and the Membership in general. The Executive should make use of the experience as an advisor or Standing Committee Chair.

As per the Ritual, Awards and Protocol Manual, the Legion Order of Precedence, at Dominion, Provincial and Branch levels, the order is President, Immediate Past President, First Vice-President, Vice-Presidents, other Officers in order of seniority, and Members of the Executive Committee. The Immediate Past President is seated to the right of the President at the head table for events and meetings. See the Ritual Awards and Protocol (RAP) Manual for more information.

## VICE-PRESIDENT(S)

The importance of a Vice-President should not be underestimated and the First Vice-President, in the absence of any By-law to the contrary, shall automatically succeed the President for the remainder of the term of office, should the President for any reason be unable to complete their term of office.

In the absence or conflict of interest of the President, all rights and powers vested to the President are, for the time being, *transferred to the Vice-President*, or, if there is more than one, then according to seniority of office.

The office of Vice-President is your assurance that your Branch will have knowledgeable Presidents in the future. The Vice-President should be required to accept the Chair of major Branch committees, i.e., Bar, Poppy, By-Laws & Regulations, Finance, Membership, Youth Education, Public Relations, etc. To be a success, the Vice-President should:

- (a) attend Committee Meetings;

- (b) Chair a meeting(s) of the Branch in the absence of the President, or when assigned by the President for Leadership Development purposes.
- (c) have knowledge of the Ritual, Awards and Protocol Manual, the General By-Laws, the Provincial By-Laws, Branch Regulations, Legion Officers' Manual, etc;
- (d) assist the President and understudy in all functions;
- (e) be a Zone or District delegate;
- (f) train for the office of President.

### **EXECUTIVE COMMITTEE**

The composition of the Executive Committee shall consist of the President, Immediate Past President, Vice-Presidents, Secretary, Treasurer (Secretary-Treasurer) if unpaid, and the elected (usually not more than six) or appointed members, in the absence of any Branch Regulation to the contrary.

The Executive Committee has the authority to add to its number or fill by appointment, any casual vacancy which may occur on the Executive Committee by motion at a meeting, subject to the approval of the Branch at its next General Meeting – GBLB Section 510.

Ladies' Auxiliary members employed by a Branch may, at the discretion of the Branch or Command hold office in the Auxiliary – GBL Section 112.c.

Where any member of the Executive of a Branch transacts business or performs any service for which a fee or commission is paid by any Branch or Command, the Executive Office or position shall be immediately forfeited and become vacant, unless such transaction has been previously approved in advance by the Executive of the Branch or Command – GBL Section 113. The approval in advance of a contract or fee for service would apply to a one-time transaction rather than services that are provided on a continuing basis.

For the purposes of this Article, a member who provides unpaid volunteer services to a Branch is not, by virtue of accepting tips from paying customers, considered to be receiving a salary of wages.

The Secretary or Treasurer (Secretary-Treasurer) is an Officer of the Branch whether or not they are remunerated by the Branch. If unpaid, they may be a voting member of the Executive Committee, if paid, they continue to be an Officer, but ceases to have authority to move or second motions or to vote at Executive Committee meetings. As a member of the Branch, the Secretary or Treasurer retains the power to vote and may exercise that right at general meetings.

An Executive Committee member by virtue of the office is expected to accept an appointment as a Standing Committee Chair.

The Executive Committee shall be responsible for the administration of the policies authorized by the General Membership, providing such policies are consistent with the General By-Laws and principles of The Royal Canadian Legion. All new business requiring the approval of a General Meeting should be considered by the Executive Committee prior to presentation to the members.

In its responsibility as the governing body of the Branch, the Executive Committee shall have the following duties:

- 1) To meet at least once per month on a day to be fixed by general consent or at the call of the Chair, to discuss and conduct the general affairs of the Branch.
- 2) To enforce the By-Laws and Regulations and make rules, that are not inconsistent with Dominion and Provincial By-Laws, for the efficient operation of the Branch, and to govern the general conduct of members and their guests while on Branch premises.
- 3) To authorize the payment of liabilities and expenses of the Branch, such as, rent, salaries, taxes, utilities, insurances, and to provide the necessary services required for its business operation.
- 4) To attend to the welfare of the members.
- 5) To exercise complete autonomy over the business operation of the licensed premises insofar as the Regulations of the Liquor License Act may permit.
- 6) To appoint or dismiss any salaried officer or employee in accordance with the Employment Standards and Labour Acts of Ontario.
- 7) To ensure that government payroll/source deductions are deducted and remitted for all employees and that no payments subject to source deductions are made without the appropriate deductions and that all such income is reported on the annual T4's issued.
- 8) The Branch Treasurer/Executive Committee should have a general knowledge of the Workplace Safety and Insurance Board requirements (WSIB), Liquor License Regulations (AGCO), Employment Standards and Labour Acts as applicable, HST, Employer Health Act, C.P.P. and Income Tax Act, Goods and Services Tax (GST), Insurances, Payroll Records, the Retention of Records, Employee-Employer Benefit Plan, Occupational Health and Safety Act, etc.
- 9) To ensure that a job description (duties and responsibilities) of each paid position in the Branch is on file – signed by and copied to the employee.
- 10) To delegate powers to sub-committees and to define the duties of such committees.
- 11) To recommend, when necessary, the borrowing of money on behalf of and for the specific use of the Branch, subject to approval by a General Meeting. Whenever a major



expenditure such as construction, renovations, etc., is considered, all members are to be advised of same by Notice of Motion, the date of the meeting and the business for said meeting. Refer to the Section Property Committee.

- 12) To promote social functions for the entertainment of the members and guests.
- 13) To ensure that the annual Poppy Campaign is well organized by the Chair and the Committee and that all expenditures from the Poppy Trust Account are within the guidelines of the GBL. Refer to the Poppy Manual.
- 14) To raise funds for the assistance of Veterans and to provide for the administration of the Legion at all levels of Command.
- 15) To organize, support and participate in programs that will promote and uphold the aims and objects of The Royal Canadian Legion.
- 16) To ensure that the Financial Review Committee is appointed following the Annual Meeting of the Branch, subject to the approval by the General Meeting.
- 17) Any expenditure other than normal operating expenses in excess of \$1,000.00 shall be referred to the Branch Executive Committee for its recommendation to the next General Meeting, prior to any commitment for such expenditure being made by the Branch.
- 18) To ensure, on an ongoing basis, that the Branch has adequate Fire (Replacement Costs), Liability, Theft, Burglary, Inventory and Directors & Officers Insurance, etc., to meet today's costs.
- 19) To perform such other acts and duties as are implied or expressed by the General By-Laws of The Royal Canadian Legion.
- 20) Committee Chair appointments are subject to the approval of the General Meeting.
- 21) **HONORARIUM** - An "Honorarium" is a payment or reward for past services rendered. Any payment for services on an ongoing weekly or monthly basis is not an "Honorarium", rather it is a "Salary". This is taxable income under the Income Tax Act and should be reported with a T-4 issued. Anyone receiving a salary is ineligible to hold any Executive position on the Executive. GBLB Section 405 (1)

## **SECRETARY**

When we use the term "Branch Secretary" we are referring to the member who is elected or appointed and is unpaid.

The Branch Secretary will attend all regular and Executive Committee meetings and keep a complete and accurate account of all business transacted. Note: A Branch may be a Branch

Regulation, appoint a Recording Secretary or Correspondence Secretary, which would be under the direction of the Branch Secretary.

All correspondence received pertaining to the business of the Branch is drawn to the attention of the President, Committee Chairs, appropriate Officer or placed on the Executive agenda file. Article III complaints are brought to the attention of the President immediately upon receipt.

Communicate with the President and keep the Officers informed of Branch business.

The Secretary is required by Branch Regulations, to communicate to each member at least seven (7) days prior to the date of the General Meeting, unless otherwise provided for by Branch Regulations. (14 days Notice if mortgaging, leasing or conveying of real property of the Branch is to be discussed). – For methods of communication see GBLO Section 918. (4)

Be familiar with GBLB, Branch Regulations, GBL and GBLO to the extent that they can turn to any given section for reference. The Secretary should prepare a written agenda and review same with the President prior to the meeting.

In preparation for a meeting, prepare a check list of needs, Minute Book, Correspondence, By-Laws, Ritual, Award and Protocol Manual, Rules of Procedure and all other records pertinent to the business of the meeting.

The Secretary receives and replies to all correspondence as directed, completes questionnaires, corresponds with all levels of Command and other agencies for the business of the Branch.

Maintains a proper file system for all correspondence and other matters as it may relate to the Branch.

Ensures that the Branch records remain on file and are stored for safekeeping.

In cooperation with the Branch Membership Chair, maintains a proper index system of the Branch membership.

The secretary carries out their duties in accordance with the wishes of the Executive Committee. They are the scribe, the organizer and the coordinator of the Branch.

## TREASURER

All monies received by a Branch shall be deposited immediately in such chartered Bank, Trust Company, Credit Union, Caisse Populaire or Treasury Branch as the Branch may decide. (Authority – General By-Laws).

Proceeds from Break-Open Ticket, Bingo and other similar lotteries, approved by the Government of Ontario, **shall be deposited in a designated lottery trust account(s)**, which must have cheque writing privileges, in a financial institution, approved by the Branch. ***NOTE: Lottery Funds cannot be deposited into the general account under any circumstances.***

When preparing a set of books to meet the requirements of the Branch, it is mandatory to keep a good descriptive:

- 1) Receipts and Disbursement Journal
- 2) Payroll Journal
- 3) Bar Summary Journal
- 4) General Ledger

The first three are books of original entry and record the happenings on a continuing basis. The General Ledger is a consolidation of the journals into their proper accounts and it is from the General Ledger that the Treasurer will prepare statements and ensure that the accounts are correctly summarized. Ledgers and Books of entry are to be posted not later than monthly.

The basic documentation for much of the Treasurer's book entries will come from other sources. For instance, the membership dues receipt books will provide the data to determine receipts for dues. Promotional activity report, cash register tapes, vouchers, etc., all constitute source documentation and as such must be carefully preserved for purpose of verification.

The general ledger, payroll journal, weekly bar sheets, beer and liquor order purchase sheets and the cancelled cheques should be reviewed by the Executive Committee or Finance Committee and the Branch Financial Review Committee each month to ensure that financial anomalies and or problems are identified at an early point. See Section "Finance"

**Revenue - (*Beer & Liquor*)** - The bartender(s) at the end of their work period should clear the cash register; count their cash and reconcile to the sales as shown on the cash register tapes; cash reconciliation (daily cash report) along with the cash register tape is to be given to the Branch Manager/Treasurer who shall verify the cash count, record the daily cash report and prepare the bank deposit.

**Internal Control** - The Executive or Finance Committees and the Financial Review Committee should on an ongoing basis review cash count and reconciliations, payroll records and check bank reconciliations.

All cheques are to be pre-numbered.

Cheques issued by the Branch require the signature of two persons who are authorized to sign on behalf of the Branch and who are not related by blood, marriage or common-law relationship. No cheque shall be signed in blank. All cheques and cheque stubs are to show the reason for payment.

Show the cheque number on the monthly statement or invoice of the account to be paid, for audit purposes.

All disbursements regardless of their nature should be, by way of cheque - Compare the statement against the invoice(s) for accuracy, mathematical correctness, prices and quantity agree, and goods received prior the payment of same – Do not make payment in cash where a cheque will suffice – Petty cash expenditures are to be kept to an absolute minimum.

Consider the implementation of a system whereby purchase orders are utilized for all purchases over a certain value - signed by the authorizing Officer and attached to the invoice or the invoice to be signed by the individual who has authorized the purchase.

The Branch Resale Account at Provincial Headquarters - a 1% service charge shall be applied against all outstanding balances, thirty (30) days following the date of statement - 1981 Provincial Convention.

Prepare and file the required forms to the Workplace Safety and Insurance Board and to ensure that the Branch complies with the requirements of the WSIB.

T4's must be issued to all employees by February 28th of each year.

In addition to banking, the Treasurer is responsible for the Branch payroll and the required monthly remittances to the various government agencies, e.g., E.I., C.P.P., Income Tax, Ontario Health Tax, HST, etc.

To be aware of the information contained in the (HST Sales Tax Guide) news circulars and to implement changes whenever necessary.

Prepare a monthly statement of income and expense, together with a monthly balance sheet.

The Treasurer should review weekly bar sheets for accuracy, errors or omissions, calculation of bar and liquor averages, ascertain the amount of retail sales and goods and services tax payable, complete a breakdown of miscellaneous sales and income and sundry cash paid out. (Miscellaneous Cash Paid Out and Income Sheet, Inventory Sheet and Summary Sheet).

Review the cost and the selling price of all commodities on a continuing basis to ensure the Branch of a reasonable markup and make recommendations to the Executive Committee.

Employees are considered to be full-time (paid to work regularly more than 24 hours per week), part-time (paid to work regularly not more than 24 hours per week) or elect-to-work (occasionally offered paid work and may decline or accept a shift without penalty). Entitlements to over-time, paid public holidays, etc., are based on the category of the employee. They are entitled to pay at time and one-half the regular rate of pay for all hours worked on a public (statutory holiday). The term "casual help" does not apply and all wages are to be accounted for in the payroll ledger.

It is recommended that a Bar Committee of 3 members be appointed by the President or Executive Committee, one of whom should be a Vice-President. The Branch Treasurer would be an automatic member of the Committee.

Weekly bar inventory to be conducted with a minimum of 2 members of the Bar Committee in attendance. Branch Steward is to attend all bar inventory counts.

**Note:** An employer may never make deductions from an employee's wages for cash shortages where any other person has access to the cash and further, cannot make deductions from an employee's wage unless the employee agrees in writing that, if money is owing to an employer, it can be deducted from their wages. (Employment Standards Act – ESA)

Weekly bar sheets - to be initialed by the Bar Committee following each inventory check-off.

On completion of bar or inventory check-off, vouchers, receipts, cash register tapes, etc., should be attached to the bar sheets.

A Voucher system is to be utilized to record all cash transactions of miscellaneous cash paid out or received. A copy of the Voucher (invoice or expense report) is to be attached to the bar sheets with an explanation and signed by the authorizing person.

All monies received by the Treasurer from membership (dues), or Committee Chairs such as entertainment, sports, hall rentals (rental contracts should be prenumbered and all numbers taken into account), etc. are to be posted to their proper accounts in the month received, not in the month deposited in the bank.

Bank deposits should be made daily, after every bar check-off or as the need arises. The Branch Executive should determine who is authorized to do deposits and what the required paperwork would be.

All accounts must be reconciled with the bank statement at least monthly.

Authority was given at the 2019 Provincial Convention for Branches to conduct business using electronic means. Refer to the GBLB Sections 1204, 1205 & 1206. The Treasurer and the Administrator of the Financial Security Measures are responsible for the maintenance and coordination of the permitted payee(s) with the Branch's financial institution. Refer to the section "Finance" for additional information.

The Branch Financial Review Committee is responsible to ensure that there is an ongoing and regular review of the financial accounts of the Branch, as outlined above. Where the Branch accounts are not audited by an external audit and are subject only to a review engagement, the Financial Review Committee of the Branch must certify the validity of the financial statements and a copy of the certified statement shall be retained on the Branch files. – Refer to the Section "Finance".

The Branch Treasurer by virtue of the office, is not necessarily a member of the Poppy Trust Fund Committee. Where possible, it is however recommended.

### **SERGEANT-AT-ARMS**

The Sergeant-at-Arms may be appointed by the Executive Committee or elected by the General Membership of the Branch.

The Sergeant-at-Arms's responsibilities include that of assisting the President in maintaining order during the meeting; ensuring that only those eligible are permitted to attend the meetings; being responsible for the colours and Branch Insignia, Ceremonial duties and to perform other duties assigned to them by the President.

At the Ceremony of Installation of Officers, the Sergeant-at-Arms conducts the recently Elected Officers and Committee Members to a place in front of the Installing Officer and conducts the newly enrolled members at the Welcoming Ceremony.

Duties do not include that of surveillance of the licensed premises or social events. This is the responsibility of the Elected Officers and the Executive Committee.

## **BRANCH MEETINGS**

### **Quorum**

A Branch shall, by Branch Regulation, establish a quorum for General Meetings.

The Rules of Procedure state that the Chair or Presiding Officer will determine if a quorum is present prior to the opening of the Meeting.

Quorum means a minimum number (of Voting Members) who must be present in order to legally transact business. The Executive Committee members in attendance are to be included in the count of Voting Members present, when calculating the Quorum.

It should also be noted that a Member who declares a conflict of interest is still counted as part of the quorum.

If the applicable quorum found in the Branch Regulations is not present, the Chair is unable to call the meeting to order and no business can be transacted at any time until the required number is present. Members must recognize individual responsibility in this matter.

### **Order(s) of Business**

The Order of Business is a list of items of business to be transacted at a meeting and should be prepared by the Secretary. An Amendment to the By-Laws in 2015 resulted in the requirement that Branches create Orders of Business for a number of different scenarios and include as Attachment Forms to their Branch Regulations. The purpose of the Order of Business is to ensure that no business is overlooked and to retain consistency.

Refer to GBLB Sections 804 through 809 or your Branch Regulations for the Order of Business (Agenda) for General, Annual, Special General Meetings etc.

## **Minutes**

The minutes are a record of the proceedings of a meeting. The essentials of the record are:

- (a) The type of meeting - i.e., Regular, Special or Executive.
- (b) Name of the Branch and Branch Number.
- (c) Time, date and place of meeting.
- (d) The names of the Presiding Officer and the Executive Committee Members in attendance.  
**Note:** The names of the Executive Committee Members absent and the reasons for same, if known.
- (e) The applicable quorum and the total number of voting Members present.
- (f) Whether the minutes of the previous meeting were approved, or their reading dispensed with before their approval.
- (g) Whether the minutes of Executive Meetings were read, distributed, or previously posted for review.
- (h) Any business arising from any of the minutes.
- (i) All motions presented and those requiring a vote should indicate the outcome with the names of the mover and seconder and a short summary of any discussion that took place, if applicable.
- (j) Time of adjournment.

While the minutes are a record of happenings, or of actions to be taken, and not a record of what has been said, it is advisable to give a short outline of the discussion from which the motion arose. This will refresh the memory of the Committee Members when the minutes are read at the next meeting.

When the minutes of the previous meeting have been adopted, they should be signed by the President and the Secretary.

## **Rules of Procedure for Legion meetings**

This booklet details the procedures for all Legion meetings and includes the duties of the Chair, methods of voting, classification of motions, tables of rules relating to motions and the order of precedence of motions. See Dominion Command website for online manual.

## **Meetings**

1. The General Meeting is the senior authority of the Branch.
2. The Executive Committee is the administrative body of the Branch.
3. The Executive Committee reports to the governing body for approval of its activities.
4. The method of reporting is through minutes of meetings.

Adoption, accepting, receiving of minutes is normally carried out by the body initiating the minutes. However, when reporting to a senior body, minutes (reflecting action taken) are presented to the senior body. It is mandatory that the minutes of a Branch Executive Committee meeting be presented to the next Branch General Meeting for the knowledge and oversight of the senior authority.

### **Notices of Motion**

Any item that requires a significant financial decision or is a major decision of the Branch should be by way of a Notice of Motion. It is also mandatory respecting the surrender of a Branch Charter, introduction or amendment of Branch Regulations, borrowing, leasing and the sale of property. The Notice of Motion is presented and tabled at one Meeting of the Branch and the motion is made at the next Meeting of the Branch. The Chair also has the authority to defer a motion to the next meeting and thus allow the initial presentation of a motion to become a Notice of Motion.

The procedure is as follows:

- 1) A Member presents a Notice of Motion at a General Meeting of the Branch.
- 2) The motion is not seconded or discussed, and it is tabled to the next Meeting of the Branch.
- 3) A copy of the Notice of Motion may be posted on the Branch bulletin board (regulations and regulation amendments) and may also be communicated to all Members in good standing (surrender of charter, mortgaging, leasing and sale of property – GBO Section 918. (4)). These aspects may be covered in the Notice of a Special General Meeting, if applicable. The notice should specify what is proposed and the date and time of the General Meeting at which the motion will be discussed.
- 4) The motion is presented and seconded at the next General Meeting or a Special General Meeting (which has been called and the details of which appeared in the notice mailed to the Members).
- 5) A 2/3 majority is required for regulations, mortgaging, leasing, sale of property and surrender of the Branch charter. An amendment to the motion does not require a 2/3 vote. It is only the main motion, as originally made or as amended, to which the 2/3 rule applies.

### **Resignations**

Sometimes there is a question as to when an Executive Committee Member's resignation becomes effective. Assuming that it is addressed to the President (Chair) or Secretary, and presented at the next meeting, normally a resignation becomes effective at the adjournment of the meeting at which it is presented. A resignation must be in writing.

### **Robert's Rules of Order**

Where the Rules of Procedure at Legion Meetings do not provide the necessary authority, then, "Robert's Rules of Order" will prevail.



## BRANCH REGULATIONS

**(Please note that this section of The Royal Canadian Legion Officer's Manual is currently under review by Ontario Command Constitution & Laws Committee.)**

Detailed guidelines for creating Branch Regulations are on the Ontario Command website. It is recommended the branch print a copy. The guidelines should be referenced along with the applicable By-Laws when creating or amending Branch Regulations.

It is imperative that a Branch use only the current version of the required forms for regulations and amendments as available from the Ontario Command website.

Branch Regulations become effective once approved at a Branch General Meeting. The GBL and the GBLO and any amendments to same, automatically supersede Branch Regulations.

Each Branch must submit to Provincial Headquarters, updated Branch Regulations for review by the C & L Committee. A Branch may amend any regulation once per term by providing the amendments in writing to the Provincial Headquarters for the review of the C&L Committee.

**Amendments to Branch Regulations** - A Notice of Motion is required, so resolved by a two-thirds majority vote of the members of the Branch in good standing, present and voting.

### **Approval Procedure for Branch Regulations**

A Branch **must** prepare a set of Branch Regulations to govern its activities. It must rule as a minimum, on the subjects listed in the GBLB "Memorandum regarding preparation of Branch Regulations" for Command approval.

When the Branch C&L Committee is satisfied, the Branch Regulations will be submitted to the General Meeting of the Branch as a Notice of Motion. There will be no discussion on the Regulations at that meeting. The Branch Regulations will be posted on the Branch notice board, as well as published in the Branch bulletin, if distribution of the bulletin can be achieved before the next General Meeting.

The Branch Regulations must be discussed as an agenda item at the General Meeting immediately following the meeting at which the Notice of Motion has been presented. Each regulation must be approved by a 2/3 majority. Any amendment required to the Branch Regulations must be refined at this and any subsequent meetings, until approval by a two-thirds majority can be obtained.

Upon approval by the Branch, four copies of the following items are to be forwarded to Provincial Headquarters: Regulations (form 3), Notice of Motion (form 2A), and Branch Submission form (Form 5). Provincial Headquarters will send one copy to each member of the Provincial Constitution and Laws Committee (three members) for the Committee's review.

The Committee will return its comments to Provincial Headquarters recommending:

1. Approval, as submitted; or
2. Approval, subject to the Committee's comments being incorporated into the Regulations; or
3. Non-approval, with a listing of the Committee's comments, indicating changes to be made, where further clarification is needed and/or suggestions for improvement.

Provincial Headquarters will advise the Branch of the Committee's comments, as noted in items #1 through #3 above, and take the following actions:

1. Provincial Headquarters will provide a Certificate of Review.
2. Where minor revisions are required, Provincial Headquarters will advise the Branch that their regulations may be approved, subject to the Branch's amending the Branch Regulations to comply with the Committee's comments. If the Branch agrees, it will amend the regulations as requested and submit two copies of the amended regulations to Provincial Headquarters. Provincial Headquarters will then provide a Certificate of Review to the Branch and send one copy of the Branch Regulations and the Certificate of Review to the Chair of the Provincial Constitution and Laws committee for their records; or
3. Provincial Headquarters will advise the Branch of the Constitution and Laws Committee's recommendations and provide the list of comments. The Branch will then amend the Branch Regulations as recommended or provide reasons for not complying with the comments. Four copies of the amended Branch Regulations must be sent to Provincial Headquarters for resubmission. These will be reviewed again by the Constitution and Laws Committee and the Committee will then return its comments to Provincial Headquarters for forwarding back to the Branch.

### **Approval Procedure for Amendment(s) to Branch Regulations**

The Branch C & L Committee or any Branch voting member in good standing may propose an amendment(s) to the Branch Regulations. It must be submitted as a Notice of Motion to a General Meeting. No discussion will take place on the Notice of Motion at that meeting. Immediately following the meeting, the Notice of Motion should be placed on the Branch bulletin board and remain there until the next General meeting. If a monthly Branch bulletin is produced, it should also appear in that publication, where time permits. At the following General Meeting, it should be discussed as an agenda item and must be approved by a two-thirds majority in order for the motion to be carried. Upon approval, the proposed amendment(s) must be sent to the Provincial Headquarters for approval.

The Branch must state the section number(s) of the proposed amendment(s) together with the exact wording that it proposes to use. (Care should be taken to ensure that references to this item in any other sections of the Regulations are also changed). The Branch sends four copies of the required amendments, four copies of the existing Regulations, and four copies of a Notice of Motion that was presented and the amendment was approved.

Provincial Headquarters will send a copy of all documentation to each of the three members of the Provincial Constitution and Laws Committee. This Committee usually meets monthly and therefore Branches should allow approximately two months from the date of mailing its submission for the receipt of a reply. The Constitution and Laws Committee will review both the requested amendments and the existing Regulations, to ensure that they conform to all current By-Laws and Regulations. Its comments will be mailed back to Provincial Headquarters which will:

1. Issue a signed Certificate of Amendment Review for the amendment(s) or amended Regulations; or
2. Advise the Branch that its Regulations may be approved, if the Committee's comments are incorporated. The Branch then resubmits four copies of its revised Regulations, amended as requested. Upon confirmation that all comments are now included, a signed Certificate of Amendment Review will be sent to the Branch; or
3. Advise the Branch that the amendments and/or existing Regulations cannot be approved in their present form (usually because too many changes are required). In this case the Branch must resubmit its Regulations in four copies, amended as requested, for further review. The covering letter must indicate that the Branch General Membership has approved these changes by a two-thirds majority.

## **BRANCH CLUBHOUSE RULES**

Branch Clubhouse Rules are not mandatory for Branches. However, all Branches should consider maintaining them. As an example, unruly behaviour in many circumstances is not covered by Article III of the GBL unless contained in the Branch Clubhouse Rules.

The Constitution and Laws Committee will only certify that the appropriate approval process was completed by the Branch and thus permit the retention by Command. However, this certification does not suggest a real or implied approval of the subject matter content.

Any subject matter not addressed by the GBL, Branch Regulations, or **Branch Clubhouse Rules** (BCR) may be maintained in a *Policy and Procedure Manual* (PPM), provided that the content does not infringe upon the General By-Laws, or violate any law in Canada **and** is within the autonomy of the Branch.

The creation and/or amendment to *Branch Clubhouse Rules or Policy and Procedure Manuals* require processing in a similar fashion to Branch Regulations as they still require the approval of the Branch Membership i.e. the Tabling of a Notice of Motion (**BCR Form No. 1** including the proposals) are presented at one (1) Meeting of the Branch and moved for approval at the next Meeting of the Branch, as all such matters impact the rights and privileges of the Membership.

The criterion listed below is supplied for information purposes re the content of **BRANCH CLUBHOUSE RULES**:

**(NOTE:** *Any Breach must be capable of forming the basis of a Complaint under Article III for Members)*

- The document Header must include the Branch Name and Number along with the title ‘**BRANCH CLUBHOUSE RULES**’ (*Corresponds with its citing in the By-Laws*).
- Provisions must be focused on matters dealing with the acceptable actions, behaviour, and discipline of the Members and their Guests while on Branch property. It may include, but not limited to, such things as the use of e-cigarettes, tobacco, vaping, and cannabis products, acceptable dress codes, which may include a prohibition to the wearing of any lawfully recognized Outlaw Motorcycle Gang Colours while onsite, Etc.
- No provision shall infringe on any By-Law, Federal or Provincial law including Human Rights Codes.
- Other matters e.g. Hours of Operation, Bar Steward duties, etc. do not fall within the purview of this document and can be maintained in a *Policy and Procedure Manual* which is also not reviewable by the Committee. It does not require submission to Command as this document should contain matters which remain part of the autonomy of the Branch.
- All original provisions and/or amendments thereto must be approved by the Branch Membership at a Meeting of the Branch after a Notice of Motion was tabled at the previous Meeting of the Branch including the proposal(s).
- The document, once approved, must be properly signed by the Branch Officers – President and Secretary with the date of such signatures being affixed thereto.
- The approved document must be posted in a conspicuous place within the Branch and available for the reference of all Branch Members and Guests.
- Four (4) copies of the current Branch Clubhouse Rules, including the subject Meeting Minutes and BCR Form No. 1, must be forwarded to Command under the cover of a Form No. 5 (*Branch Regulations / Branch Clubhouse Rules Submission Cover Form*).

**Note:** *Failure to follow the above criterion may render any provision unconstitutional when it is applied in an Article III Complaint situation. Clubhouse is defined under Section 301. a. of the GBL.*

## **GUIDE TO NOMINATION AND ELECTION OF BRANCH OFFICERS**

Each Branch shall notify their Zone Commander of the date set for the Branch Elections.

**Note** although it has been common practice to have the Elections managed and supervised by Zone Officers, there is no mandatory requirement to do so.

The Election Chair, appointed by the President and approved by the Executive Committee, shall choose members to assist with the Elections. They all must be members in good standing who

are not running for Office at the subject Branch and have no apparent or perceived conflict of interest in the pending process.

The nomination and election of Branch Officers shall be conducted in accordance with the approved Branch Regulations under the auspices of the General By-Laws for Branches and the General By-Laws for Ontario Command.

### **Nominating Committee**

A Nominating Committee, if utilized by the Branch, has the responsibility of interviewing prospective candidates for election to determine if they will accept nominations to a specific office and to receive the written acceptance of the candidates for presentation to the Nomination Meeting.

The Nominating Committee may nominate candidates for each elected office on the Executive Committee. Additional nominations shall be accepted at the Nomination Meeting.

### **Nominations**

No person shall be nominated for any office in the Legion unless present or having signified in writing a willingness to accept such office and signed by the member in good standing – Section 111. b. GBL.

A member must be in good standing in order to place a name in nomination.

In order to qualify for election, the member must be a paid-up voting member for the year in which the election is held.

Nominations do not require a seconder.

Nominations for Branch Officers may be re-opened at the Election Meeting, if no advance poll has been held.

A member wishing to place a name in nomination shall rise and be recognized by the Chair prior to the nomination being made.

The Secretary shall record, in addition to the name being placed in nomination, the name of the nominator.

Prior to the close of nominations for each office, the Election Chair shall inform the meeting that they will issue three calls for further nominations and if none are received, they will declare the nominations closed for that office.

The General By-Laws make no provision whereby a member of a Branch for more than one year, who transfers his membership to another Branch and subsequently returns to his original Branch by way of transfer, shall be denied the right to contest an Elected Office, if so nominated.

A member must be a member of the Branch for one year prior to the date of the election meeting. There is no stipulation that he must be a member for a one-year period immediately prior to the Election Meeting.

### **Elections - Sections 1001 to 1013 GBLB**

The Election Chair shall be familiar with the Articles IV and X of the Branch Regulations and ensure that there is a quorum in attendance prior to proceeding with the election. The Election Chair, with the assistance of the Branch Sergeant-at-Arms and/or Membership Chair, determines that everyone in attendance is a voting member of the Branch and the total number of eligible votes. Should there be guests/observers, they should be seated in a separate area where possible.

If the Branch had a Nominating Committee, that Chair should provide a list of candidates for the election, before the election begins.

The paper used as a ballot (or ballot book) must be identified as such and made available to the Election Chair prior to the election.

The ballots shall be distributed prior to the casting of the first ballot.

The Election Officer shall not declare all offices vacant but shall only request that the Chairs be vacated during the election process.

To be eligible for election, a nominee must be in attendance at the Election Meeting or have signified their intention in writing to the Branch Secretary, prior to the meeting, with respect to the office for which they have been nominated.

If a member signifies their intention to contest an Elected Office by letter, the correspondence shall not be read to the General Membership until after the Member in question has been nominated.

Prior to balloting for each individual office, the Election Chair shall introduce each candidate to the meeting. It may be the practice of the Branch to allow candidates a couple of minutes to address the floor. If permitted to address the floor, all candidates would be offered the same opportunity and time limit.

Election of Officers and Executive Committee Members shall be by secret ballot except where Branch Regulations provide for an appointment or in the case of an acclamation.

Each candidate shall be provided the privilege of appointing a scrutineer to observe in the counting of ballots.

All entrances and exits shall be tiled during the election process and no one will be permitted to enter or leave the meeting hall.

Suitable containers shall be available for the collection of all ballots.

A separate and private room shall be provided for the counting of ballots and only the Chief Scrutineer and Scrutineers shall be permitted to enter.

Following the collection of ballots for an individual office and when the ballots have been deposited in the counting room, waiting members may be admitted to the meeting.

The Chief Scrutineer shall report directly to the Election Chair in writing, the result of each ballot. The Scrutineers following this report shall then be permitted to enter the hall for the distribution and collection of the next ballot.

All counted ballots shall be delivered to the Election Chair in a closed container (a sealed envelope can be used) following each count and all ballots shall be destroyed immediately following the conclusion of the election.

The Election Chair will announce the total number of ballots cast, the number of spoiled ballots and the name of the member declared elected, or, where a majority vote is required, the name(s) of the candidate(s) dropped from the ballot.

A defeated candidate for the positions of President or Vice-President(s) may be automatically dropped down for the next office provided there is a Branch Regulation created for this purpose. Section 1008. GBLB.

A spoiled ballot shall be one that is cast in blank, or where the name is not eligible or identifiable as one of the candidates. The Election Chair may determine if the use of first names are allowed. If ballots are provided with the title of each Elected Office printed thereon and the voting member marks and deposits the wrong ballot, it will be ruled to be a spoiled ballot.

If there are no Candidates for President the Election Chair must advise the membership in attendance that the failure to fill this position will result in the suspension of the election and the matter will be referred to the Provincial Headquarters for review and direction which may take any of the following forms:

- A new Election, commencing at the first vacant Office after the next superior Office originally filled by Election, may be convened at a Special General Meeting which will require a Meeting Notification to all Members by the Branch. Further the Election Chair will be appointed by Provincial Command which will also determine whether the Branch or Command incurs the costs thereof.
- The installation of a Board of Trustees, if necessary, to oversee the affairs of the Branch in the interim and make attempts to identify sufficient candidates to convene a new Election at a Special General Meeting to fill the subject Offices. This will be dependent upon a number of factors including the status of the Branch Term of Office and what level of the hierarchy was met in the Election.
- Amalgamation with another Branch may be considered and proposed as an option.
- Surrender or revocation of the Branch Charter and dissolution of all Branch affairs and assets associated therein.

**NOTE:**

The Election Chair is urged to make a second attempt to seek Candidates after advising the body of the alternatives to avoid having the matter going to Provincial Headquarters.

**VOTING BY MAIL OR PROXY IS PROHIBITED.**

**Advance Polls**

A Branch may by a Command reviewed Branch Regulation, conduct an advance poll on the date of the election meeting. The regulation must specify the time the advance poll will commence and end.

Where an advance poll is held, nominations **shall not** be re-opened on the night of the election meeting.

Nominees shall be required to notify the Branch Secretary at a reasonable time prior to the opening of the advance poll, if it is their intention to stand or decline, bearing in mind that all members have to be advised of the entire slate.

An up-to-date copy of the nominal roll validated by the Branch President and Secretary shall be provided to the Chief Scrutineer and each voting member in attendance must be checked off during the advance poll process.

A ballot for each position should be used, and the ballot must be so identified. A ballot may allow for the voting of more than one person -ie: Three (3) Vice-Presidents, Six (6) Executive Members.

Each candidate for election shall be accorded the privilege of appointing a scrutineer to oversee the casting of ballots in the advance poll.

All polling at an Election Meeting must be continuous and completed on the date of the Election Meeting. A separate and private room shall be provided for the counting of the ballots. The counting of the Advance Ballots will be completed by the Election Team between the time that the advance poll ends and prior to the start of the Election Meeting.

At least two members shall be appointed by the Executive Committee to supervise the counting of the ballots and each candidate for election may appoint a scrutineer to be present to protect their interest.

An Election Meeting shall not be adjourned to the next or subsequent day to permit further balloting.

The candidate receiving the highest number of votes is declared elected.



## ORGANIZATION – NEW BRANCHES

Section 108 of the GBL specifies that there must be a minimum of fifty (50) or more persons to form a new Branch in urban areas and at least ten (10) persons to form a new Branch in non-urban areas. These persons must be new members and cannot be members transferring from another Branch in the area. A Provincial Command may after due investigation recommend that a Branch with less than the minimum be granted a Charter under exceptional circumstances.

The following procedure will apply to the establishment of a new Branch in Ontario Command:

- A new Branch being proposed in a Municipality where another Legion Branch is currently in operation, requires the endorsement of the existing Branch;
- The District Commander and Zone Commander for the area where the Branch has been proposed will investigate to determine the extent of interest in the new Branch, the potential leadership of the Branch, the prospects for its long term sustainability and whether a new Branch in the proposed location would be in the best interests of the Legion and other Branches in the area;
- Following the investigation, the District Commander and Zone Commander will file a written report to the Provincial Headquarters with their findings and recommendations;
- When the required minimum number of persons who fulfill the qualifications for voting membership has been attained and tentative approval has been given for the establishment of a new Branch by Provincial Command, the District or Zone Commander will convene an organization meeting at which the applications for membership will be reviewed and approved in accordance with the requirements of the General By-laws;
- The meeting will be required to petition, by motion, the granting of a Charter to the organization. A motion dealing with the following matters will also be required:
  1. The title of the new Branch.
  2. The mailing address.
  3. A slate of Provisional Officers and Executive Committee will be elected (a President, one or more Vice-Presidents, not more than six (depending upon the size of the Branch) Executive Committee members, a Secretary and a Treasurer; or alternatively, a Secretary-Treasurer.
  4. Appointment of provisional Standing Committee Chairs.
  5. Signing Officers to be appointed.
  6. Designation of the bank in which the funds will be held.

It is normal procedure that a trust fund be set up, pending the granting of the Charter.

7. A Per Capita Tax cheque is made payable to Dominion Command and sent to Provincial Headquarters. The remittance of Per Capita Tax must be accompanied by a Transmittal form and the necessary membership forms as detailed in the most recent copy of the Membership Manual.
- In order to obtain a Charter, an application form must be filled out in triplicate, and the names of not less than ten members listed. This application must accompany other documentation submitted to the Provincial Headquarters for review and approval. The Provincial Command will then recommend to Dominion Command the granting of a Charter.
  - The Officers elected at this meeting are considered to be provisional Officers only, and when the Charter has been received identifying the organization as a Branch of The Royal Canadian Legion, a new election may be held or the membership may, by motion approve the slate presently in office;
  - On receipt of the Charter by the Provincial Headquarters, the Branch will be advised in order that arrangements may be made for a convenient date for its presentation by a member of the Provincial Council who will, at the same time, install the Officers and Executive Members of the Branch.
  - The Command will provide the Branch with the necessary booklets, applications, forms, etc., required in the operation of the Branch.

## **ONTARIO COMMAND TERMS OF REFERENCE FOR BRANCH AMALGAMATION**

**The Ontario Command Terms of Reference is a guideline for Branches in Ontario. These Terms of Reference are not to be considered as By-Law and are not to be confused as superseding Section 615 of the General By-Laws of the Royal Canadian Legion.**

It is imperative that all levels of Legion realize that each amalgamation process will be unique in itself. These Terms of Reference are meant to address the more common aspects of the amalgamation process. Branches wishing to explore the amalgamation process are urged to seek expertise at any and all levels of the Legion.

### **FORWARD**

Legion Branches across Ontario now face many challenges ranging from declining membership, more stringent rulings from various Government agencies Legions are obliged to deal with, an aging volunteer base, financial issues including increases in Branch insurance, utility costs and many more.

In dealing with these issues many Branches find themselves at the brink of closure and/or forfeiting their Charter. In an attempt to remain solvent and to continue to contribute to their respective communities some Branches have chosen amalgamation as an option.

The following are terms of reference on how Branches shall achieve amalgamation with another Branch if indeed this is the chosen path.

It must be remembered that amalgamation, by definition, includes both Branches having equal rights, equal say, equal benefits and become a new Branch of The Royal Canadian Legion and the years of service of the branch with the longest history in that community will be given to the amalgamated Branch. There shall be no loss of years of service as a result of the amalgamation process. See GBL Section 615. j.

*The Property Committee of Ontario Command*, in developing these terms of reference, has attempted to define each level of Legion and their responsibilities in the amalgamation process.

### **BRANCH RESPONSIBILITIES**

1. A Branch must first determine that it cannot exist as a lone entity or that combining its forces and assets with another Branch would be desirable. Consideration shall also be given to the Ladies Auxiliary of both Branches and the work they have done in the Community. *NOTE: If the amalgamation process is approved the Ladies Auxiliaries will also be included in the process.*
2. A Special General membership meeting must be held to obtain permission for the Branch to set up an Amalgamation Committee to deal with the amalgamation process. All members in good standing belonging to the Branch must receive a letter explaining the Branch's intention to consider amalgamating with another Branch and advising them of the date, time and place of the Special Meeting. The Branch President sits as an ex-officio member of this committee by virtue of his office.
3. Following the Special General Meeting, the Branch Amalgamation Committee must determine if there is a Branch, within a reasonable distance, which would entertain the possibility of amalgamation. For instance, a Branch in Toronto would not amalgamate with a Branch in Oshawa.
4. The Branch will then with the approval of the general body, approach the other Branch with the thought of amalgamation. The 'other Branch' **must** also send letters to all their members advising them of the proposed amalgamation and the date of a Special Meeting to be held to discuss the possible amalgamation.
5. Both Branches will then set up a joint Amalgamation Committee consisting of equal representation from both Branches to develop the amalgamation process. An immediate task for the joint Amalgamation Committee will be to ensure that both Branches understand the financial situation of the other Branch. A current audit of each Branch is important to show both the assets and liabilities of each Branch. If required, an audit can be conducted by either or both Branches involved.
6. Once the financial position of both Branches has been clearly understood by both, each Branch will present a Notice of Motion to their members declaring the intention to amalgamate.

*NOTE: The Notice of Motion must be distributed to all members in good standing pursuant to the methods identified in the GBLO Section 918.*

7. Once the Notice of Motion has successfully passed at both Branches, the Secretary, of each Branch shall, forward copies of the minutes of the meeting at which the Notice of Motion was presented. Copies of the meeting at which the Notice of Motion was passed as well as the Financial Statements to Provincial Headquarters, the District and Zone Commanders. The Provincial Headquarters will either approve or deny the request for amalgamation.
8. Following Command's approval, the joint Amalgamation Committee will then recommend a new Branch name, number and residence. *The new Branch can retain one or both of the Branch numbers and can also retain the name of one of the Branches or rename the new amalgamated Branch.* Consideration must be given to previous commitments made by each Branch to annual events and traditions. Both Branches should work together to establish a Ceremony at each Branch Cenotaph on November 11<sup>th</sup>. There must be a signed agreement by both Branches as to the disposal of assets, community projects, etc. This will serve to avoid any future misunderstandings or conflicts between members of the amalgamated Branch. *NOTE: Once the Amalgamation process has been approved and finalized the Branch will request through Provincial Headquarters the transfer of the membership from the old Branch to the new Branch.*
9. At this point the joint Amalgamation committee members will notify the Zone Commander, the District Commander and Provincial Headquarters of their progress to date.
10. At each Branch General Meeting a full written report will be given to the general body, by the Amalgamation Committee, outlining the progress made regarding the amalgamation process.
11. Once both Branches have reached an agreement the joint Amalgamation Committee must then find a resolution to issues such as original Charters and Banners. Notification of change of name, insurance, Federal, Provincial and Municipal remittances such as HST, taxes, etc. should be completed.
12. All services such as hydro, gas, etc. must be notified in writing as to the impending change.
13. Lawyers must be engaged to ensure legal transfer of documentation for both Branches property eg. Deeds, etc. Once the properties have been decided an Ad-hoc Committee must be formed consisting of members of both Branches to dispose of any assets held by the Branch which are no longer needed. All sales must be approved by members of the amalgamated membership in accordance with Provincial Command policies and By-Laws. *NOTE: If a Branch does not have the services of a lawyer, Provincial Headquarters can provide the contact information of the Command lawyer. All costs will be that of the Branches.*
14. Once all legal issues have been satisfied, approval has been obtained from both Provincial and Dominion Headquarters and the new Charter has been received an 'Amalgamation Meeting' must be held by the new Branch.
15. This Amalgamation Meeting will represent the first meeting of the new Branch and efforts must be made to establish a date for an 'Amalgamation Ceremony' within six (6) months of receipt of the new Charter. Also, steps must be taken to establish a new

Executive Committee with the new Branch and determine the dates of meetings, etc. Invitations may be sent out to senior levels of Legion for this Ceremony. Six (6) members, three from each Branch will form an interim Executive until elections can be held, one of which will be the Chair.

16. Once the new Branch is operational the new Branch should develop their own Regulations within twelve (12) months of amalgamation.
17. A progress report must be sent to the Zone Commander, District Commander and Provincial Headquarters bi-monthly during the first six (6) months of operation.

**NOTE: It is imperative that the new Branch understand that during the first six (6) months of operation they must adhere to all Provincial and Dominion by-laws. Further, the new Branch must undertake the writing of new Regulations, which will address their new situation as soon as practical.**

## **ZONE RESPONSIBILITIES**

The primary responsibility of the Zone Commandeer is one of support for the Branches within a Zone. The Zone Commander, in his administrative role will ensure that all Branches in the Zone are aware of the amalgamation process. Branches must understand that amalgamation is a valid alternative to simply closing and surrendering their Charter. The Zone Commander must point out the advantages to the amalgamation process, i.e., increase of manpower and resources and an increased ability to deliver Legion programs in the new coverage area. Branches must realize that amalgamation is one of several options which should be reviewed when they are failing to meet their financial and community commitments.

1. The Zone Commander should be involved early in the process. Contact should be made when Branches determine they are in difficulty and require assistance. The Zone Commander's experience and knowledge will be important to the Branch in considering the available options.
2. The Zone Commander should be contacted once a Branch has established an amalgamation committee. The Zone Commander will work with the Committee to ensure the Terms of Reference are followed.
3. Once both Branches agree to amalgamate the Zone Commander must contact the District Commander indicating that both Branches are proceeding with amalgamation.
4. If the Zone Commander wishes to attend an Amalgamation Meeting, they must be invited by the joint Ad-Hoc Committee. An opportunity should be given to the Zone Commander to attend an Amalgamation Meeting to help with any problems that may arise.
5. It will be the Zone's primary responsibility to ensure the terms of reference are followed and that notification has been made to higher levels (District and Provincial) of the Legion.
6. The Zone Commander and Zone Officers should be available at all times and will be important in the process from a support perspective.

## **DISTRICT RESPONSIBILITIES**

The primary responsibility of the District Commander is one of support for the Zone Commanders within a District. It must be remembered that the District Commander, in his administrative role, will ensure that all the Zone Commanders within the District are aware of the amalgamation process, Terms of Reference and all applicable By-Laws dealing with amalgamation. Further, it is the District Commander's responsibility to ensure that all facets of the amalgamation process are followed. The District Commander must remember that any involvement in Branch affairs is to be either by invitation (in writing) or as a directive from Ontario Command.

1. Once the District has been notified of the amalgamation process the District Commander must contact the Zone Commander to ensure that the amalgamation process is valid, and the terms of reference are followed.
2. Once the District Commander is confident the amalgamation process is valid, they will ensure that Provincial Headquarters is aware of the impending amalgamation.
3. If the District Commander wishes to attend an Amalgamation Meeting, they must be invited by the joint Ad-Hoc Committee.
4. The District Commander and District Officers will be important to the amalgamation process from a support perspective.
5. The District Commander will ensure the interim Executive Committee establishes signing authority for the new Branch.

## **ONTARIO COMMAND RESPONSIBILITIES**

1. Upon receiving notification that Branches wish to amalgamate the Provincial Executive Director must contact the District Commander and ensure that all parties in the area are aware of the impending amalgamation process.
2. Once the Provincial Executive Director receives copies of the minutes of the meeting at which the Notice of Motion was presented, copies of the meeting at which the Notice of Motion was passed, as well as the Financial Statements they will inform Dominion Command of the impending amalgamation.
3. It will be a Provincial Command responsibility to ensure that the Branch amalgamation, from the Provincial and Dominion Command perspective is handled effectively.
4. The Provincial President and Senior Officer will be important to the amalgamation process for a support perspective.

## **RESOLUTIONS**

### **Preface**

The use of Resolutions by all facets of the Legion is the accepted mechanism available for members to advance matters respecting a change of By-Laws, Terms of Reference, Policies, and/or other appropriate Legion matters. They can also be used to seek the support of and to direct the organization to advance its views and lobby Government on matters held in high

regard by the Legion.

It is imperative that the initiator of any approved Resolution consider the time required to advance it to and process it by Command. Thus, the Resolution should be submitted in a timely fashion to allow sufficient time for the proper review of the Resolution. There will be occasions when Resolutions can not be forwarded to the Provincial Executive Council for their review due to the pending impact of Convention timelines and thus will be reviewed by the Provincial Administrative Committee re concurrence or non-concurrence.

It is also important that the submitting entity submit a copy of the subject Meeting Minutes as confirmation that the Resolution was properly approved at a General Meeting; or in the case of a Provincial Standing Committee, approved by the Committee Members. Further, the documents received by Command must bear original signatures affixed thereto and thus provide another level of validity.

In order to ensure that Resolutions are properly processed in preparation for their presentation at the next Provincial Convention, or if National in scope, for advancement to Dominion Command, once concurred by Provincial Command, the following policy and procedures will apply.

### **Resolution Preparation**

- Resolutions must be completed on the appropriate **Resolution Submission Form** found on the Command Website → Member Resources → Forms & Manuals → Committee Forms → Resolution Form to Provincial Command.
- These Electronic Forms are fillable but may be completed by hand, if preferred by the crafting member.
- The fillable electronic edition ensures legibility and may be corrected/amended by the originating source prior to presentation/submission.
- Proofread the Resolution prior to presentation to ensure the content is relevant to the subject matter and free of spelling and grammatical errors.

### **Branch Resolutions – Processing to Command**

- The Resolution is presented at a General Meeting of the Branch for approval.
- Create the applicable Branch Meeting Minutes. (A signed draft copy is acceptable).
- The appropriate original signatures are affixed to the original Resolution and Meeting Minutes.
- Forward a copy of the signed original Resolution and Branch Meeting Minutes to the Zone Secretary.
- The Resolution is presented to the Zone Council and/or Zone Convention for concurrence or non-concurrence. (Dependent upon the time of receipt).
- The Zone Commander signs the original Resolution and indicates the decision of the Zone with any comments.
- The original Resolution and accompanying Branch Meeting Minutes are then forwarded to the District Secretary.

- The Resolution is presented to the District Council and/or District Convention for concurrence or non-concurrence. (Dependent upon the time of receipt).
- The District Commander signs the original Resolution and indicates the decision of the District with any comments.
- The original Resolution and accompanying Branch Meeting Minutes are then forwarded to the Provincial Executive Director.

**NOTE 1:** The assessment of Resolutions by the Councils of Zone and/or District may be included as an agenda item at an in-person meeting or the subject of discussion / vote via electronic communication.

**NOTE 2:** All resolutions from Branches may be processed through their respective Zones and Districts for their review and comment before submission to Provincial Command with the following exception:

If the subject matter is National in scope and/or considered by the Branch to be of an emergency nature and the timelines in relation to the next appropriate pending Dominion and/or Provincial Convention do not permit the elevation through the Zone and District, the Branch may forward it and a copy of the applicable meeting minutes directly to the Provincial Executive Director. In these cases, to permit proper review and consideration by Provincial Command, it is critical that any such Resolution is received by the Provincial Executive Director at least one (1) month prior to the applicable cut off time limit of 112 days prior to the opening date of such Convention. The Branch may be requested to elaborate and justify their contention that the subject matter qualifies as an emergency if such rationale and information is not originally submitted with the Resolution.

### **Provincial Standing Committee Resolutions – Processing to Command**

- A Resolution is generated by a member of the Committee and distributed to all Committee Members by the Chair.
- The Resolution may be included as an agenda item at an in-person meeting or the subject of a vote via electronic communication dependent upon the subject matter and timelines associated with the appropriate pending Convention.
- Once approved, the appropriate original signature and date is affixed to the Resolution.
- The relevant Minutes are created. (Signed draft copies are acceptable).
- The original Resolution and minutes bearing original signatures are forwarded to the Provincial Executive Director.

**NOTE 3:** The Provincial Administrative Committee may approve a motion respecting a matter falling under the mandate of a Provincial Standing Committee and advance such motion to the appropriate Provincial Standing Committee for its review and action, if warranted, which may result in the drafting of a Resolution by the subject Provincial Standing Committee.



### **Receipt and Processing by Provincial Resolutions Committee**

- All Resolutions received at Command shall be directed to the Provincial Resolutions Committee Secretary.
- The Secretary shall complete the administrative record including the receipt details, originating source, subject, etc.
- All Resolutions and accompanying minutes shall then be forwarded to the Provincial Resolutions Committee Chair.
- The Chair shall review the minutes and the Resolution to ensure its proper approval and adherence to all applicable By-Laws and procedures.
- The Chair will decide what entity will review those compliant Resolutions, bearing in mind the timelines applicable to the appropriate Convention which will dictate the consideration procedure utilized by the Reviewing Committee e.g., Subject Matter, Physical Meeting, Virtual Meeting, Etc.
- The Chair or Secretary will direct the documents to the Chair of the assigned entity, or its Secretary, for review.

**NOTE 4:** Any Resolution deemed improperly approved by the originating body and/or failing to meet other provisions cited in the By-Laws and/or the Policy & Procedure Manual will be returned to that entity with a cover letter citing the reasons for return.

**NOTE 5:** Any Resolution involving the General By-Laws of either Command must be referred to the Provincial Constitution and Laws Committee, and dependent upon the subject content, expertise may be sought from other sources to assist in the review; or the Resolution may be redirected to such other entity for its consideration and decision with any required assistance provided by the Provincial Constitution and Laws Committee.

### **Reviews of Resolution**

- The appropriate timelines, along with the urgency of the subject matter, if applicable, will dictate whether the Resolution will be left for discussion at the next regular Committee Meeting, or the subject of a discussion/vote by electronic communication.
- The Provincial Standing Committee Chair or Secretary will distribute every Resolution to the Committee Members for their Review.
- The Committee shall either concur, or non-concur with each Resolution and provide comments, where appropriate, in support of their decision. Such comments may also highlight grammar, spelling, or context errors/omissions.
- The Resolutions will be returned to the Provincial Resolutions Committee Chair or its Secretary.

**NOTE 6:** When a number of Resolutions addressing the same topic are received, the Reviewing Committee will be required to draft a resolution combining all those of the same topic, if they concur with the original Resolutions.

**NOTE 7:** Any Resolution in which the subject matter fails to correspond with the mandate of any Provincial Standing Committee may be assigned for review by the Provincial Administrative Committee re concurrence or non-concurrence along with appropriate comment, if applicable.

### **Return of Reviewed Resolutions to Provincial Resolutions Committee Chair**

- The Provincial Resolutions Chair, upon receipt of reviewed Resolutions, will review their status and determine the next course of action dependent upon the status, content and pending Convention timelines.
- The Chair will forward the Resolutions to the Secretary who will complete the administrative record and distribute as directed by the Provincial Resolutions Chair which may be as follows:
  - To the Provincial Administrative Committee unless it was originally reviewed by this entity.
  - To the Provincial Executive Council unless the pending Convention timelines do not permit this action.
  - To Dominion Command, once reviewed by the Provincial Administrative Committee and/or Provincial Executive Council dependent upon the applicable timelines re a pending Convention.

### **Resolution of a National Scope**

- All Resolutions of a national scope must have been concurred by Provincial Command and shall include appropriate comment before being forwarded to Dominion Command. Any Resolution received by Provincial Command less than 112 days prior to the next Dominion Convention shall not be forwarded unless it has been determined by the Resolutions Committee Chair to be of an urgent nature and subsequently concurred by Provincial Command. All Resolutions meeting this criterion must be forwarded to Dominion Command by the Provincial Resolutions Committee Secretary at the earliest opportunity after the appropriate concurrence by Command.

### **Resolution Status for Provincial Convention**

- All Resolutions to be considered at the next Provincial Convention shall be classified into the following categories:
  - Appendix I - Concurred Resolutions.
  - Appendix II - Non-Concurred Resolutions.
  - The distribution of the Convention Proceedings Booklet will act as the Official notification respecting the status of each compliant resolution that has been reviewed by Command since the last Provincial Convention.

### **References**

**DOMINION COMMAND – POLICY & PROCEDURE MANUAL – RESOLUTION PROCESSING**

**ARTICLE IX – THE GENERAL BY-LAWS - RESOLUTIONS**

**ARTICLE III – THE GENERAL BY-LAWS OF ONTARIO PROVINCIAL COMMAND - RESOLUTIONS**

**PROCEDURE TO SURRENDER A CHARTER OF A BRANCH**

The following procedure applies on the surrender of a Branch Charter:

- 1) Requires a Notice of Motion at a General meeting of the Branch;
- 2) The notice should be communicated to all members in good standing at least 14 days prior to the Special General Meeting at which it is to be discussed; GBLO Section 918. (2)
- 3) Copies of the Notice of Motion shall be sent to the District Commander and the Zone Commander;
- 4) A 2/3 majority vote is required;
- 5) If the motion to surrender the Charter is approved, the Charter shall not be surrendered until:
  - a) The General Membership has approved a motion for the disposition of the assets in accordance with the Act to Incorporate, the GBL and the GBLO; and
  - b) Ontario Command has approved the surrender of the Charter and the proposed disposition of the real property of the Branch; and
  - c) All real and personal property has been disposed of in accordance with the approved proposal.
- 6) The Signing Officers of the Branch shall remain members of the Branch until the surrender of the Charter is finally approved by Ontario Command.
- 7) Upon the surrender of the Charter, the Ladies' Auxiliary Charter (if applicable) shall also be surrendered.
- 8) The Charter shall be returned for cancellation to the Provincial Headquarters.
- 9) A Branch may request the return of the 'cancelled' Charter for display in the community or at another Branch.

***Notes:***

- (a) The property/assets of the Branch may not be disbursed to the members of the Branch.
- (b) Please see Section 929. of the GBLO, this section deals with the disbursement and what may happen to surplus funds. "A Branch may apply to the PAC of Ontario Command for exemption from this policy, when it is deemed more beneficial to donate the property in another way."
- (c) The following documentation must be submitted to the Provincial Headquarters:
  - A copy of the Notice of Motion which has been communicated to all members in good standing and proof of delivery as per GBLO Section 918 (4).
  - A copy of the certified (signed by President and Secretary) minutes of the General Meeting at which the notice was proposed.
  - A copy of the certified minutes of the General Meeting at which the notice was approved.
  - A complete list of the assets and the liabilities of the Branch.

- A proposal, approved by the General Membership, for the disposition of the assets and a certified copy of the minutes of the General Meeting which provided the approval.

### **DISPOSITION OF BRANCH RECORDS**

The following records disposition policy will apply on the surrender of a Branch Charter:

- 1) If the Branch Membership Chair or another Officer of the Branch is willing to prepare the paperwork for the transfer of the members to a new Branch, the records will remain with that person until all efforts to transfer members have been exhausted. The Branch should notify Provincial Headquarters of the name and address, etc., for contact purposes.
- 2) When no one from the Branch can assist with the transfer of the members, Provincial Headquarters will discuss the transfer of the membership records with the District Membership Chair to determine whether they should be sent from the Branch to the Zone or District Membership Chairs. This Chair will then be responsible for ensuring that the paperwork for the transfers is prepared and/or the documents are sent to the new Branch. Only when all reasonable efforts have been made to transfer the members, will the remaining membership records be forwarded to Provincial Headquarters. The box(es) must be labeled clearly identifying the Branch, the contents and the period that the records cover.
- 3) The following records should be forwarded to Provincial Headquarters on the surrender of the Branch Charter. It is essential that the Branch send only the records that must be retained for Government purposes. The Provincial Headquarters will dispose of these records when there is no longer any requirement to keep them. These are as follows:
  - a) T4 and T4A returns for the past 10 years in chronological sequence.
  - b) Bank statements, cancelled cheques, cash receipt books, deposit books and cheque registers for the past 7 years.
  - c) Inventory records and count sheets for the last 7 years.
  - d) Insurance policies for the past 7 years.
  - e) Employment records and files for the past 7 - 10 years.
  - f) Invoices for the past 7 years.

It is emphasized that the Branch must sort and pack and label this material in an efficient manner to provide for easy identification and retrieval, should this ever be necessary. A covering letter summarizing the full contents of the records sent to Provincial Headquarters and the box # in which the specific records may be located must accompany the final shipment.

The space at the Provincial Headquarters is very limited and storage off site may be required. It is therefore essential that Branches number and label and summarize the documents that they have sent. Further, Branches must complete the necessary Government returns for the period up to and including the Charter surrender date (HST, T4's, etc.) and supply all necessary information regarding any employees of the Branch in its last year of operation.

## **PROCEDURE TO CHANGE BRANCH NAME**

The following standardized procedure for the use by Branches that wish to change their Branch name must be completed.

1. Draft a motion setting out the specifics of the proposed new Branch name and any supporting information that will provide sufficient insight respecting this proposal.
2. Draft a Notice of Motion which includes a statement advising that the attached motion will be moved at the next meeting of the Branch for discussion and a vote for approval.
3. The presenting member tables the above cited two (2) documents at an Annual General Meeting or General Meeting of the Branch. No seconder is required at this time and it is not debatable.
4. At the next meeting of the Branch; which may be an Annual General Meeting, General Meeting, or Special General Meeting; the motion is introduced for discussion and a vote for approval, a two thirds majority of the voting members present is required. NOTE: Should the Branch choose to convene a Special General Meeting for this purpose it will be required to send a notice of the time, place, date and purpose of the meeting at least seven (7) days prior to that meeting by post, electronic or delivered by hand to the last known address of every member entitled to vote at the meeting.
5. Once approved, the aforementioned documents can be forwarded electronically to the Provincial Headquarters under a cover letter from the Branch President.
6. Provincial Headquarters will review the submission and determine if it meets the criteria and has been completed according to this Policy and Procedure.
7. If the submission meets all requirements, the Branch will be so notified, and the necessary correspondence will be forwarded to National Headquarters for their review and the issuance of a new Branch Charter available for a nominal fee.

## **BRANCH CONSTRUCTION / RENOVATIONS**

There are many scenarios which fall under Branch construction projects. It could be the purchase of property and erection of a new building, the purchase of property and renovation of an existing building, the leasing of property and completion of leasehold improvements, the renovation of an existing building on land already owned by the Legion, updating of fixtures and equipment in existing facility, the list goes on. These projects may be funded from existing capital reserves or investments, through the sale, borrowing or mortgaging of property.

Branches may apply to the Provincial Property Committee for loans to assist with short term cash flow problems and/or emergency situations. The terms of reference are further on in this section.

“NOTE: NOTICE OF MOTION Is a notice of a motion given at a meeting to be presented to the next meeting of the same body. Its use should be provided for in the appropriate By-Laws. The Notice of Motion on presentation does not require a seconder and is not debatable. If the motion is introduced at the next meeting, normal rules apply.” *From Rules of Procedure for Legion Meetings January 2022*

Should a project require the review of the Provincial Property Committee, it is recommended that Branches allow 30 days for a response. In order to avoid a delay, ensure that all required documentation is submitted as per the outlined procedures below.

Sometimes Branches are confused about the procedural requirements for Branch construction projects. The following scenarios may assist the Branch to determine the applicable procedure, when in doubt, contact your Zone Commander for direction:

### **Branch Renovations, upgrades, repairs:**

#### **1. No borrowing required:**

- **Project is less than \$25,000 for existing Branch building to be funded from Branch reserves**
  - requires approval of the general membership before any commitments or expenditures are made;
  - does not require Notice of Motion or approval by Ontario Command.
- **Including purchases of new/used equipment of more than \$25,000 in the fiscal year for existing Branch building to be funded from Branch reserves (no borrowing required)**
  - requires a Notice of Motion distributed to all members in good standing, pursuant to Provincial By-Laws at least 7 days prior to the General Meeting at which the notice is presented for discussion and a vote; (Notice of Motion is NOT required when the complete amount of money used for the project is provided by Government Grant(s) or is the result of an insurance claim – Please note majority vote is still required by the general membership.
  - requires a covering letter to be submitted to Ontario Command (Secretary of Property Committee) providing an overview of the current situation of the Branch and the complete details of the project
  - requires approval of the general membership by a simple majority and approval of Provincial Property Committee prior to any commitments being made or documents signed.

## 2. When borrowing is required:

- borrowing requires a Notice of Motion distributed to all members in good standing, pursuant to Provincial By-Laws, at least 14 days prior to the General or Special General Meeting at which the notice is presented for discussion and a vote;
- approval of the general membership by a 2/3 majority of those present and eligible to vote and written approval by the Provincial Property Committee prior to any commitments being made or documents signed.
- requires a covering letter to be submitted to Ontario Command (Secretary of Property Committee) providing an overview of the current situation of the Branch and the complete details of the project

**Note section 1208 of The General By-Laws for Branches of the Ontario Provincial Command –**

1. **All expenditures, other than normal operating or emergency expenses, in excess of an amount set out in Branch Regulations which may not exceed \$2,000.00, must be approved at a General, Special General or Annual General Meeting, prior to any commitment for such expenditure being made by the Executive Committee.**
2. **Any expenditure other than normal operating or emergency expenses, in excess of \$1000.00, shall be referred to the Executive Committee for its recommendation to the next General Meeting, prior to any commitment for such expenditure being made by the Branch.**

Note: see “Procedures for all transactions involving the borrowing, mortgaging, etc. - as shown immediately below.”

### **Procedure for all transactions involving the borrowing, mortgaging, leasing, or conveying of Real Property for review by the Provincial Property Committee**

**Note:** The method of distribution of a Notice of Motion is covered by GBLO Section 918. (2), 918.(4), 918.(5), 918.(6), 918.(7), quoted below.

918.(2) A Meeting Notification shall be communicated to every member of the Branch in good standing for receipt at least fourteen (14) days in advance of any General Meeting held or Special General Meeting called to discuss mortgaging, leasing or conveying of Branch real property.

918. (4) A Meeting Notification required under these or any other provision of the General By-Laws shall be communicated to all members entitled to attend the subject meeting via one (1) of the following methods.
- (a) By personal hand delivery; or
  - (b) By Canada Post, or other courier service; or
  - (c) Personal delivery to the member's last known address; or
  - (d) By electronic communication.
918. (5) Each Meeting Notification shall include the following items:
- (a) The date, time and location of the meeting.
  - (b) The purpose of the meeting.
  - (c) The Section(s) of the General By-Laws applicable to the call and distribution of same.
918. (6) The Branch shall maintain a copy of each Meeting Notification and a record of the method by which way member was duly notified respecting same.
918. (7) Each Branch member shall:
- (a) Notify their Branch in writing of the method(s) by which they wish to receive Meeting Notifications.
  - (b) Provide their personal postal mailing address to their Branch and ensure that the information is kept current.
  - (c) Provide their current electronic contact information to their Branch should they wish to receive any or all Meeting Notifications via this means.
  - (d) Activate "to follow" or subscribe to any social media facility provided by their Branch, should they wish to receive any or all Meeting Notifications via this means.
1. A Notice of Motion must be presented at a General Meeting of the Branch specifying the details of what is proposed.
  2. The notice must be distributed pursuant to Provincial By-Laws to all members in good standing at least 14 days prior to the General or Special General Meeting at which the motion will be made for discussion and vote taken.
  3. If the matter is approved by a 2/3 majority, the Branch must submit the following information to Provincial Headquarters:
    - a) a copy of the Notice of Motion, with proof of delivery (mail, electronic, etc.)
    - b) a certified copy (signed by the Branch President and Secretary) of the minutes of the General Meeting at which the notice was presented;
    - c) a certified copy (signed by the Branch President and Secretary) of the minutes of the General Meeting at which the Notice was approved by a 2/3 majority;
    - d) a copy of the certified reviewed year-end financial statements of the Branch for the past 2 years and current financial statements.
    - e) a business plan including precise information on how the loan, lease, etc. will be repaid and specifying whether grants and/or lottery funds have been considered through the licensing authority for use of funds 20% policy and/or the Building Fund Policy;
    - f) a budget for the next fiscal year;



- g) a copy of all pertinent documentation, such as sale/lease agreement, mortgage document, etc.
  - h) requires a covering letter to be submitted to Ontario Command (Secretary of Property Committee) providing an overview of the current situation of the Branch and the complete details of the project
  - i) the name, address, telephone number, etc., of the Branch lawyer who is providing the legal advice, etc.
4. The Ontario Command Property Committee reviews all documentation and confirms in writing if the Branch has complied with the Legion Act 1990. Branches must receive the approval from Provincial Headquarters prior to committing to or signing any lease, sale, purchase, etc.

3. Branch building projects (over \$25,000)

- all expenditures in excess of \$25,000 during the course of the fiscal year must have written approval from the Provincial Property Committee prior to any commitment being made or documentation signed. The Branch must therefore submit to Provincial Headquarters the following information for review:
  - a) a copy of the Notice of Motion, distributed to all members in good standing pursuant to the Provincial By-Laws, at least 14 days in advance of the General or Special General Meeting at which the notice is presented for discussion and vote; and proof of delivery (mail, electronic, etc.)
  - b) a certified copy (signed by the President and Secretary) of the minutes of the General Meeting at which the notice was put forward;
  - c) a certified copy of the minutes of the General Meeting at which the notice was approved by a simple majority (where no borrowing is required) or a 2/3 majority (where borrowing is required); Please include the total number of voting members in attendance and the results of the voting (for and against the motion(s));
  - d) a copy of the certified reviewed year-end financial statements for the past 2 years and current financial statements;
  - e) a business plan which details how the loan will be repaid if borrowing is required;
  - f) a copy of all pertinent documentation such as purchase, lease or mortgage proposals; quotes for proposed construction/renovations, etc.;

- g) the name and address of the Branch lawyer involved in the transaction, as required for sale/purchase of property associated with Branch construction.
- h) requires a covering letter to be submitted to Ontario Command (Secretary of Property Committee) providing an overview of the current situation of the Branch and the complete details of the project

4. Projects involving purchase of property and services of an Architect and/or Consultant

- prior to property being purchased, the services of an architect or consultant being engaged, a motion which has been presented to a previous meeting by way of notice distributed pursuant to Provincial By-Laws, 14 days in advance of the General or Special General Meeting at which the notice is presented for discussion and vote to each member in good standing, shall include:
  - (a) the proposed purchase price of the property, as applicable;
  - (b) the estimated cost of the new building or renovation in accordance with the ability of the Branch to pay;
  - (c) the name and address of the architect and/or consultant to be engaged.
- a Branch is not authorized to expend any funds with respect to its program either by way of purchase of property or the hiring of an architect and/or consultant until this motion has been approved;
- following approval of the above motion, the Branch will engage the services of the architect and/or consultant and obtain a price for the drawing of plans in accordance with the funds as approved by the Branch at the meeting;
- when the estimate has been received, the Branch will again proceed by way of Notice of Motion to a General Meeting, such Notice of Motion to include the following details:
  - (a) the names of the Chair and members of the Branch Building Committee;
  - (b) the total cost of the project, could include a 10% allowance for over-runs in accordance with the information received;
  - (c) a statement of the assets of the Branch per the Certified Reviewed Financial Statement as of May 31st in the preceding fiscal year;

- (d) the amount of mortgage required and relevant interest rate;
- (e) a business plan.
- (f) requires a covering letter to be submitted to Ontario Command (Secretary of Property Committee) providing an overview of the current situation of the Branch and the complete details of the project

**Branch projects involving the purchase, sale or leasing of property**

**Branches need to be aware that they do NOT “have authority to bind the Corporation”.** If documents with this statement are signed without PRIOR written approval of the Provincial Property Committee you may be held PERSONALLY liable for any deal made.

The following clause must be added to any line of credit, mortgage, sale/purchase, lease agreement proposed within Ontario Command:

**“The obligation of the Vendor to complete this Agreement is conditional for a period of 30 days following the date of the execution of this Agreement (the “Condition Period”) upon the approval of this Agreement by The Royal Canadian Legion, Ontario Command (the “Approval Condition”). In the event that the Vendor does not deliver to the Purchaser within the Condition Period written notice of satisfaction of the Approval Condition, this Agreement shall then be terminated, and the Deposit shall be returned to the Purchaser, with any accrued interest thereon. The Approval Condition is for the benefit of the Vendor and shall not be waived by the Vendor.”**

- all purchases, sales or leasing of property require a Notice of Motion distributed to all members in good standing, pursuant to Provincial By-Laws, at least 14 days prior to the date of the General or Special General Meeting at which the notice is presented for discussion and vote;
- approval of the general membership by a 2/3 majority and **written approval from the Provincial Property Committee is required before commitments are to be made or documents signed.**
- requires a covering letter to be submitted to Ontario Command (Secretary of Property Committee) providing an overview of the current situation of the Branch and the complete details of the project

**Note:** see “Procedures for all transactions involving the borrowing, mortgaging, etc - as shown immediately below.”

**Procedure for all transactions involving the borrowing, mortgaging, leasing, or conveying of Real Property for review by the Provincial Property Committee**

**Note:** The method of distribution of a Notice of Motion is covered by GBLO Section 918. (2), 918.(4), 918.(5), 918.(6), 918.(7), quoted below.

918.(2) A Meeting Notification shall be communicated to every member of the Branch in good standing for receipt at least fourteen (14) days in advance of any General Meeting held or Special General Meeting called to discuss mortgaging, leasing or conveying of Branch real property.

918. (4) A Meeting Notification required under these or any other provision of the General By-Laws shall be communicated to all members entitled to attend the subject meeting via one (1) of the following methods.

- (a) By personal hand delivery; or
- (b) By Canada Post, or other courier service; or
- (c) Personal delivery to the Member's last known address; or
- (d) By electronic communication.

918. (5) Each Meeting Notification shall include the following items:

- (a) The date, time and location of the meeting.
- (b) The purpose of the meeting.
- (c) The Section(s) of the General By-Laws applicable to the call and distribution of same.

918. (6) The Branch shall maintain a copy of each Meeting Notification and a record of the method by which way member was duly notified respecting same.

918. (7) Each Branch Member shall:

- (a) Notify their Branch in writing of the method(s) by which they wish to receive Meeting Notifications.
- (b) Provide their personal postal mailing address to their Branch and ensure that the information is kept current.
- (c) Provide their current electronic contact information to their Branch should they wish to receive any or all Meeting Notifications via this means.
- (d) Activate "to follow" or subscribe to any social media facility provided by their Branch, should they wish to receive any or all Meeting Notifications via this means.

5. A Notice of Motion must be presented at a General Meeting of the Branch specifying the details of what is proposed.

6. The notice must be distributed pursuant to Provincial By-Laws to all members in good standing at least 14 days prior to the General or Special General Meeting at which the motion will be made for discussion and vote taken.

7. If the matter is approved by a 2/3 majority, the Branch must submit the following information to Provincial Headquarters:
- a) a copy of the Notice of Motion, with proof of delivery (mail, electronic, etc.)
  - b) a certified copy (signed by the Branch President and Secretary) of the minutes of the General Meeting at which the notice was presented;
  - c) a certified copy (signed by the Branch President and Secretary) of the minutes of the General Meeting at which the Notice was approved by a 2/3 majority;
  - d) a copy of the Certified Reviewed Year-End Financial Statements of the Branch for the past 2 years and current financial statements.
  - e) a business plan including precise information on how the loan, lease, etc. will be repaid and specifying whether grants and/or lottery funds have been considered through application to the licensing authority for use of funds 20% policy and/or the Building Fund Policy;
  - f) a budget for the next fiscal year;
  - g) a copy of all pertinent documentation, such as sale/lease agreement, mortgage document, etc.;
  - h) the name, address, telephone number, etc., of the Branch lawyer who is providing the legal advice, etc.
  - i) requires a covering letter to be submitted to Ontario Command (Secretary of Property Committee) providing an overview of the current situation of the Branch and the complete details of the project
- j) The Ontario Command Property Committee reviews all documentation and confirms in writing if the Branch has complied with the Legion Act 1990. Branches must receive the approval from Provincial Headquarters prior to committing to or signing any lease, sale, purchase, etc.

#### **Policy for Branches selling property and maintaining residual funds**

Branches that sell property and lease back, amalgamate or enter into a lease agreement must consent to the following policy prior to any agreements being signed:

1. All funds derived from the sale of a building, or an amalgamation must be deposited or invested in a Canadian Banking Institution.
2. An amount not to exceed \$75,000 may be deposited to a Canadian Banking facility in the name of the Branch. The remaining funds must be invested in a mix of short, medium, and long-term investments as directed by the members at a General Meeting. Should a Branch wish to renovate, etc. they must follow the guidelines below.
3. Funds can be invested in but are not limited to the following: Guaranteed Investment Certificates, Bankers' Acceptance, Treasury Bills, Government of Canada Bonds,

Provincial Bonds, Commercial paper, Triple B Bonds, low to medium risk Mutual Funds, Equities, Income Trusts, Linked Notes, Principal Protected Notes and Segregated Funds.

4. Investments may only be cashed, with the approval of a **BRANCH GENERAL MEETING**. An Executive Committee **DOES NOT** have the right to approve cashing of any investments at ANY time.
5. Branches that are amalgamating must follow the above noted in item #2. If property is sold by one Branch, which is amalgamating with another, the funds would be held in the name of the new Branch and the Legion Act 1990 and the Act to Incorporate would apply.

### **Short Term Loans to Branches**

Ontario Command has funds available to assist Branches in need of short-term funding. Branches may apply to the Provincial Property Committee to borrow funds to address short-term cash flow problems.

**Note:** Requests which exceed the maximum amount and require extended repayment periods beyond five years will be reviewed by the Provincial Property Committee and referred to the Provincial Administrative Committee for approval or otherwise, along with their recommendation.

### **Terms of Reference for Short Term Loans to Branches**

- The application will be reviewed by the Provincial Property Committee and loans will be determined on a case by case basis but may not exceed \$ 50,000;
- The loan must be repaid within five years, interest will be charged at 2% per annum;
- A covering letter must be submitted with the application providing an overview of the current situation of the Branch, why the funds are needed and how the Branch proposes repayment within the time frame allotted;
- The Branch must submit a current balance sheet and statement of income and expense for the current fiscal period including the last three months;
- The Branch must agree to repay the loan on a monthly basis with a pre-authorized automatic withdrawal from a Branch account and a copy of a void cheque. Short Term Loan Funds will not be released until this signed agreement has been completed and received by Provincial Headquarters.
- Branches must comply with the By-Laws and Legion Act 1990 requirements for borrowing, unless an emergency exists;
- The Property Committee may consult with the District and Zone Commander for information purposes.

### Property Committee Approval

The role of the Committee is to review and decide on all real property transactions exceeding \$25,000.00.

Branches are reminded that prior to any sale or leasing agreement being signed, they must follow the procedures of the Act to Incorporate, the Legion Act 1990 and all policies as described in the current Legion Officers' Manual under the Property Section. It is a prerequisite and mandatory that notification to the members of Special Meetings for the purpose of mortgaging, leasing or conveying of Branch property, must be made in writing, and distributed as directed in the GBLO Section 918., titled 'Notifications Re Meetings of the Branch'. The Provincial Property Committee will not tolerate failure to follow this procedure.

Any member who enters into an agreement, without the express written consent of the General Membership, could be held responsible for all legal costs and liable for any transactions made. The Provincial Property Committee has the right to null and void any transaction that has not followed proper procedure.

Before approval is given by the Provincial Property Committee, Branches must consent to the above noted.

The document when completed requires the date signed and signatures of the Provincial Property Committee Secretary and the Branch President.

### CMHC Seed Funding

This is a loan of up to \$200,000.00 available to developers to assist with predevelopment soft costs, such as professional fees, management plan, preliminary design of the project, etc.

The Provincial Property Committee **will not approve any Seed Funding applications**. It is the developer that should be applying for this, if required. **If the project does not reach completion, the applicant is responsible for repayment, in this case the Branch and it is mandatory for repayment in full.**

### Frequently Asked Questions (FAQs)

1. Does the \$25,000 amount include monies received from Governments - or donations from the membership - or donations from the public?  
  - Yes as these monies are considered to be Branch monies once received
2. Our Ladies' Auxiliary is funding half of the project. Does their money get included as part of the \$25,000 limit?  
  - Yes as this money is considered Branch money once received

3. We are negotiating with a telecommunications company for a lease to allow them to install a tower on our Branch property. Does this require approval from the Property Committee?

- Yes as this is a transaction involving leasing of real property

4. Does the \$25,000 amount include monies received from an insurance claim?

- Yes as these monies are considered to be Branch monies once received

5. Does the Branch have the authority to bind the corporation?

**- NO THE BRANCH DOES NOT HAVE THE AUTHORITY TO BIND THE CORPORATION WITHOUT APPROVAL OF ONTARIO COMMAND.**



## RETENTION OF RECORDS

<b>BANKING</b>	Cash books, Cheque Register, Bank Statements, Cancelled cheques, etc.	7 years
<b>INVENTORY</b>	Perpetual records and physical count sheets	7 years
<b>JOURNALS &amp; LEDGERS</b>	Accounts Receivable, Payable, etc.	7 years
<b>INSURANCE</b>	Accident, Fidelity, Fire, Group, Liability Property, Workmen's Compensation	7-10 years
<b>TAXES</b>	Retail Sales Tax (Provincial)	7 years
	Harmonized Sales Tax	7 years
	Withholding Tax Forms, such as T-4, T-5 Summaries and TD-1's	7-10 years
<b>PERSONNEL EMPLOYEE</b>	Employment Records and Payroll Summaries	7-10 years
<b>INVOICES</b>	Sales and Purchases	7 years
<b>MINUTE BOOKS</b>	All written and Electronic formats – ensure that the electronic formats are kept up to date with available technology.	Permanent
<b>GENERAL LEDGER FINANCIAL STATEMENTS ALL ACCOUNTS</b>	All written and Electronic formats - ensure that the electronic formats are kept up to date with available technology.	Permanent

## **FINANCE**

Sound financial management is very important to the survival of a Branch. Simply put continued expenditures in excess of revenues will eventually reduce the assets to the point where ceasing operations and giving up the Charter will be the only option open.

A budget should be prepared at the beginning of the Legion year which estimates revenues and expenditures. While it is recognized that the actual results will differ from the estimates, monthly comparisons of the two will highlight areas of potential concern.

*Branch financial reporting standardization has been established and is used in order to both accurately assess performance and compare year to year operations. A training manual for this purpose is available on the Provincial Website [www.on.legion.ca](http://www.on.legion.ca) under Forms & Manuals, Leadership Development.*

Normal monthly expenditures such as heating and light bills are processed by the Treasurer or Bookkeeper without requiring an approval process. *Nonrecurring expenditures up to \$500 (or as determined by Branch Regulations) may be approved by the Branch Executive Committee and those in excess of \$500 at a Branch General Meeting. Exception to the normal approval requirement is allowed in the case of an immediate operational requirement with an after the fact approval being required at the appropriate level.*

*While disbursements are normally made by cheque, authority has been given for payment by electronic means. See section below. Petty cash payments should be kept to a minimum. All cheques require two signatures and all payments made electronically must be reviewed. A bank statement reconciliation is to be completed monthly for all branch accounts.*

### **FINANCE COMMITTEE**

The Branch Treasurer is usually the Chair of this Committee. The Branch Finance Committee provides an overview of the financial affairs of the Branch on a regular basis and provides recommendations to the Executive Committee for improvements to the revenues and expenditures. Generally, it will be responsible to develop policies and controls regarding the Branch finances. It may also be tasked by the Executive Committee to provide recommendations on correcting abnormal expenses.

### **FINANCIAL REVIEW COMMITTEE**

The Branch Financial Review Committee has a different task from that of the Finance Committee. It has the responsibility of monitoring of the financial operations throughout the year. Guidelines for this committee have been created and are available on the Provincial website under “Forms and Manuals” and “Leadership Development”.

First glance at the guidelines may make it feel that it is a daunting task, but rest assured it does not have to be. The Committee can meet monthly or quarterly to determine which section should be reviewed. The Committee is only responsible for the review procedure and reporting of any discrepancies in the Branch financial control systems. Essentially this is an informal internal audit of finances and control procedures. The Committee must prepare a report to be submitted to the Executive Committee within ninety (90) days following the end of the fiscal year and then presented to the next General Meeting for approval. GBLB Section 1203.

## **ONLINE BANKING**

### **ADMINISTRATOR (FINANCIAL SECURITY MEASURES)**

The 2019 Provincial Convention gave authority to Branches to conduct their business via online banking. See GBLB Sections 1205, 1206 and 1207.

The Branch is required to appoint an Administrator – Financial Security Measurers. This person works in conjunction with the Branch Treasurer to ensure that the appropriate controls are in place for online access, passwords, pins, etc. The Chair of the Branch Financial Review Committee could be this person.

There are many different financial institutions and each of them have their own procedures in place regarding Businesses using online banking. Therefore, Branches should contact their own bank to determine the best practice, additional costs that may be involved and if necessary, to change the type of account that they currently have.

An example of a Branch that banks with Bank of Montreal – their procedures for multi-approval for a non-profit business:

- The Branch was issued two FOB's (much like a key fob) which has a display window with a series of numbers. The numbers in the FOB change every three (3) minutes and have a countdown bar.
- The procedure starts by logging in to the Branch account using standard username/password and/or PIN.
- Once inside the Branch account (usually the Treasurer) keys in the necessary transfers, ETF's, etc.
- They are then prompted to key in the number displayed on their FOB.
- The transfers will appear as "Transfer Pending" on the site until the 2<sup>nd</sup> authorized FOB number is keyed in.
- The 2<sup>nd</sup> FOB number can be done from any computer.
- Note: the "Transfer Pending" will expire after a few days if not authorized.

This satisfies the Bank and the Branch requirements of having two signatures on a cheque.



# NOTICE OF MOTION

ONTARIO NO.

ROYAL CANADIAN LEGION BRANCH NAME

BRANCH NUMBER

\_\_\_\_\_, 20

DATE PREPARED

**NOTICE OF MOTION IS HEREBY GIVEN THAT** \_\_\_\_\_

**SIGNED AND DATED BY THE PRESENTING MEMBER WILL BE PRESENTED AT THE NEXT MEETING OF THE BRANCH FOR CONSIDERATION, DISCUSSION, AND A VOTE FOR ACCEPTANCE.**

PRESENTING MEMBER'S NAME  
(PRINT)

PRESENTING MEMBER'S  
SIGNATURE

_____, 20
DATE OF ANNUAL GENERAL MEETING OR GENERAL MEETING OR SPECIAL GENERAL MEETING  ( <u>UNDERLINE THE APPLICABLE MEETING</u> )  NOTICE OF MOTION TABLED

_____, 20
DATE OF ANNUAL GENERAL MEETING OR GENERAL MEETING OR SPECIAL GENERAL MEETING  ( <u>UNDERLINE THE APPLICABLE MEETING</u> )  MOTION MOVED FOR APPROVAL



**THE ROYAL CANADIAN LEGION**  
**CADET/JUNIOR CANADIAN RANGER**  
**MEDAL OF EXCELLENCE**

**GENERAL**

1. The Royal Canadian Legion Cadet/Junior Canadian Ranger Medal of Excellence is awarded in recognition for individual endeavours in citizenship which meet or enhance the aims and objectives of the cadet movement.
2. The program is wholly sponsored by the RCL.
3. In accordance with the Cadet and DND Policy, the medal is not available to the Navy League cadets.

**DESCRIPTION**

4. The decoration consists of a circular old-silver coloured medal with a ribbon. On the obverse is the insignia of the RCL. The ribbon, 1.5 inches wide ( 3.8 cm), is blue with a large gold median.

**TERMS OF REFERENCE**

5. The awarding of the RCL Cadet/Junior Canadian Ranger Medal of Excellence is governed by:
  - (a) each Cadet/Junior Canadian Ranger corps/squadron may award one medal per training year unless other instructions are received by the Regional Cadet Support Unit;
  - (b) a recipient of the Lord Strathcona Medal, the Navy League of Canada Award of Commendation or the Navy League of Canada Award of Excellence shall not be awarded the RCL Cadet/Junior Canadian Ranger Medal of Excellence in the same training year in which any of the other medals are granted;
  - (c) the corps/squadron Commanding Officer (CO) is the approving authority for the awarding of the medal;
  - (d) the medal may be awarded only once to any one individual;
  - (e) the awarding of this medal is based upon a recognized national standard to maintain the prestige and value of the award throughout Canada; and
  - (f) awarding of the medal is optional.
6. A more formal and centralized selection process may be established at the Detachment level to consider recommendations of corps/squadron CO for the RCL Cadet/Junior Canadian Ranger Medal of Excellence.

## **SELECTION CRITERIA**

7. The main objective in awarding the RCL Cadet/Junior Canadian Ranger Medal of Excellence is to emphasize the citizenship aspects of the Cadet/Junior Canadian Ranger program. To be eligible for consideration, a Cadet/Junior Canadian Ranger must meet the following conditions:
  - (a) all requirements of the corps/squadron annual mandatory and optional training programs;
  - (b) participated in a minimum of three community service events, in addition to those supported by the Cadet/Junior Canadian Ranger unit through its Local Headquarters (LHQ) program;
  - (c) regarded by peers and superiors as exemplifying the model of the Cadet/Junior Canadian Ranger; and
  - (d) enhanced the Cadet/Junior Canadian Ranger unit through:
    - (1) co-operation with peers and subordinates,
    - (2) comradeship,
    - (3) promoting goodwill and morale within the corps/squadron,
    - (4) aiding in the development of group identity and cohesiveness,
    - (5) supporting and assisting fellow unit members; and
    - (6) involvement in the local community.

## **SELECTION PROCEDURE**

8. The unit CO should seek the recommendations of the sponsoring committee, the school principal and representatives of any community service organization to which the Cadet/Junior Canadian Ranger may have provided assistance in determining the merit of the Cadet/Junior Canadian Ranger under consideration.
9. The CO should seek the active participation of the executive of the local RCL in the selection process.
10. When the CO (or the Selection Committee when constituted) determines that a RCL Cadet/Junior Canadian Ranger Medal of Excellence will be awarded, he shall advise the region/detachment in accordance with the instructions received by the RCSU.

## **PRESENTATION**

11. The CO will liaise with the local RCL branch to ensure that a Legion representative can be made available to present the medal at the corps/squadron's Annual Review.
12. The CO will liaise with the local RCL branch for the procurement of the medal unless other instructions are received by the RCSU.

## REPLACEMENT

13. If lost or stolen, this medal and undress ribbon can be replaced by sending a request to the local RCL branch.
14. This request must include the name of the person requesting the medal, the telephone number and the address where the medal is to be sent.
  - *Branches order the Cadet/Junior Canadian Ranger Medal of Excellence and Certificate through the Provincial Headquarters – supply department. For order form #800176 please go to [www.on.legion.ca](http://www.on.legion.ca) located under “Forms and Manuals” and then under “Honours and Awards”.*





# **THE ROYAL CANADIAN LEGION, ONTARIO PROVINCIAL COMMAND BRANCHES AND LADIES' AUXILIARIES CHARITABLE FOUNDATION**

Ontario Command is proud of our many programs, some of which are part of national initiatives such as the Track & Field program and the Poster & Literary competitions. The Charitable Foundation is a provincial initiative and remains a remarkable example of the good that can be done when the Branches and the Ladies' Auxiliaries combine their efforts. Each year since inception in 1979, the Members and Directors of the Charitable Foundation review applications for medical equipment and research funding, in the approval process for grants to community medical facilities and organizations across the province. Millions of dollars have been donated to the various hospitals, health clinics, homes for the aged and charities in the communities of Ontario. In fact, most of the hospitals or non-profit nursing homes within the boundaries of our command have benefited from this program. Funding is made possible through the untiring support of our Branches and Ladies' Auxiliaries.

## **Terms of Reference**

1. Operation of the Ontario Command Service Bureau
2. Veterans Welfare
3. Programs for Aging Veterans
4. Medical Research
5. Medical Equipment
6. Bursaries
7. Other purposes of a charitable or benevolent nature, as approved from time to time by the Board of Directors.

For applications to be considered, it is imperative that applicants review in detail the Charitable Foundation guidelines and requirements at [www.on.legion.ca](http://www.on.legion.ca), and follow the directions provided to complete the submission. An explanation of the grant application process and a 5-year history of approved grants is available on the website.

## **Committees**

The Royal Canadian Legion Ontario Command Branches and Ladies' Auxiliaries Charitable Foundation (known from here on as Charitable Foundation or Foundation) has a Finance Committee, a Sub Committee and a Committee of the Whole.

The Finance Committee members consist of the Foundation President, the Immediate Past Foundation President, the Provincial Command President, the Ladies' Auxiliary President, the

Provincial Command 1<sup>st</sup> Vice-President, the Honourary Treasurer, the Executive Director, the Assistant Executive Director and the Foundation Secretary.

The Sub-Committee includes the Members of the Finance Committee as well as three Directors from the Committee of the Whole appointed by the Foundation President.

The Committee of the Whole includes Members of the Sub-Committee as well as the President of the Ladies' Auxiliary, the 1<sup>st</sup> Vice-President of the Ladies' Auxiliary, Bursary Committee Chair, and the rest of the District Charitable Foundation Directors who are not on the Sub-Committee. District Directors are in fact District Chairs appointed by their District Commanders as any other chairperson. The term Director comes from the CF By-Laws.

### **Foundation Meetings**

The Foundation holds two meetings per year as well as an Annual General Meeting. The Finance and Sub-committee meetings are held together at the end of June. The Committee of the Whole is generally held on the Friday after Remembrance Day followed the next day by the Annual General Meeting. At these meetings, the submissions for grant approvals are reviewed and recommendations are made at the Sub-Committee meeting, then confirmed at the Committee of the Whole in November. Recommendations on grant approvals made at the June meeting are kept in the strictest confidence until the final decision is made at the November meeting.

### **GOALS OF THE DIRECTORS:**

- Help find places that qualify
- Encourage submissions
- Encourage donations

### **Expense Policy**

Expenses incurred by the Committee Members with regard to attendance at the June and/or November meeting of the Charitable Foundation are borne by Ontario Command, through the Charitable Foundation.

Ontario Command will pay for expenses of the District Directors to attend meetings related to their District responsibilities.

The Ladies' Auxiliary is responsible for expenses incurred by their representatives to attend the November meeting.

Expenses incurred by Zone and Branch Chairs are at the expense of the Zone or Branch.

### **Manuals & Promotional Materials**

Please visit [www.on.legion.ca](http://www.on.legion.ca) and choose the menu option Charitable Foundation on the home page for general information which includes the Guidelines, Terms of Reference and a listing of the last five years of grants awarded. Roles and Responsibilities of the Charitable Foundation

Directors and Chairs can be found in the Ontario Command Officers' Manual on-line at [www.on.legion.ca](http://www.on.legion.ca) menu item Member Resources then Forms and Manuals then Legion Officer's Manual. The Charitable Foundation also has two promotional brochures. The first is a brochure that highlights the program guidelines and explains the process for applying. These brochures can be ordered at no cost from Ontario Command. The second is an "In Memoriam" card that should be circulated to local funeral homes as it promotes the Foundation and provides a means to donate. This card is also available at no cost from Ontario Command.

## **Officer's Roles and Responsibilities**

### **Foundation President**

The Foundation President is appointed by the Command Provincial President. The Charitable Foundation President shall preside at all meeting of the members of the Foundation and of the Board of Directors. It is his/her responsibility to ensure the Guidelines for submissions, the Terms of Reference, the Charitable Foundation By-Laws and the Investment Policy are adhered to in cooperation with the Board of Directors.

- be authorized to sign on behalf of the Foundation.
- also be charged with the general management and supervision of the affairs and operations of the Foundation.
- review materials and statistics relating to the donations received for the bursary and charitable programs.
- with the assistance of the Command Executive Director and District Director, shall make the final decision on issues related to the approval or the decline of the Foundation awards, should the need arise due to extenuating circumstances.
- with the Ontario Command Executive Director or other officer appointed by the Board shall approve and sign all Foundation By-Laws.
- is a member of the Provincial Executive Committee (P.E.C.), chairs the Annual General Meeting, reports at the annual PEC meeting and the biennial Provincial conventions.

### **District Directors**

The District Directors, as appointed by their District, shall be members of the Provincial Charitable Foundation Committee.

- be the main contact between their District and the Provincial Charitable Foundation Committee.
- make a report at their respective District conventions and meeting as directed by the District Commander.

- ensure that the Charitable Foundation is promoted by Branches and Zones in their areas and that those involved are familiar with the program as outlined on the Ontario Command website ([www.on.legion.ca](http://www.on.legion.ca)) and in the Ontario Command Legion on-line Officers' Manual. Enquiries from prospective applicants shall be referred to the website for the most up to date information and/or the Foundation Secretary at Ontario Command.
- promote the Charitable Foundation program through seminars and reports at Convention to ensure continued support from Branches and Zones.
- encourage Zone and Branch Chairs to seek out qualifying institutions to apply to the Charitable Foundation program, i.e. hospitals, not-for-profit homes, health clinics, homes for the aged and fire departments, etc.
- contact Zone and Branch Chairs to ensure submissions for grants are completed precisely and accurately by providing the applicant with the guidelines regarding dates and timelines and provide assistance if required.
- scrutinize all submissions received by Ontario Command which are sent out in May or June, to ensure they meet the Foundation guidelines.
- never suggest a grant will be approved until it is approved by the Provincial Committee although they shall be a supporter of their District's submissions so long as they fall within the Terms of Reference.
- ensure they advise prospective applicants that the deadlines are firm and they cannot speak on behalf of the applicant to make exceptions.
- attend the Charitable Foundation meeting(s) in November prior to PEC to make informed final decisions regarding grant submissions.
- represent their District at meetings. They shall come prepared to discuss the business of the meeting giving special consideration to the submissions for grants. They shall be especially familiar with the submissions from their own District so they can respond to any questions that may arise at the meetings.
- notify the Zone and Branch Chairs if issues regarding the submission need to be resolved. The District Director shall assist the Foundation Secretary when additional information is needed prior to the submission's deadline date. They may work with the Zone and/or Branch Chair to ensure the institution receives a personal call or visit regarding questions about their submission.
- will know from the meetings when a submission is approved. When a grant (i.e. Purchase Order has been received) from the Foundation is successful, the Foundation President, District Director and Branch President closest to the location of the organization, hospital

etc., are copied. If unsuccessful, only the Foundation President and District Director are copied.

### **Zone Charitable Foundation Chair**

The Zone Chair shall become familiar with the Charitable Foundation by attending any seminars and/or meetings as suggested by the District Director of Charitable Foundation. They shall also ensure they visit the Ontario Command website ([www.on.legion.ca](http://www.on.legion.ca)) to familiarize themselves with the Terms of Reference and Guidelines. The Roles and Responsibilities can also be found on the website under menu item Member Resources then Forms and Manuals, then Legion Officer's Manual.

- in cooperation with the Branch Charitable Foundation Chair, shall assist, if necessary, in preparations for the cheque presentation involving a photo opportunity which will include a representative of the Ladies' Auxiliary.
- encourage Branch Chairs to seek out qualifying institutions to apply to the Charitable Foundation program, i.e. hospitals, not-for-profit homes, health clinics, homes for the aged and fire departments.
- seek out qualifying institutions to apply to the Charitable Foundation program, i.e. hospitals, not-for-profit homes, health clinics, homes for the aged and fire departments; in particular those institutions that do not fall within the jurisdiction of the local Branches so that no institution is left out of the promotional efforts. Enquiries from prospective applicants shall be referred to the website ([www.on.legion.ca](http://www.on.legion.ca)) for the most up to date information.
- should never suggest that a grant will be approved until it is approved by the Provincial Committee of the Whole.
- ensure they advise prospective applicants that the deadlines are firm and they cannot speak on behalf of the applicant to make exceptions.
- ensure that In Memoriam cards are distributed to the funeral homes in their rural area that may not be covered by the Branches. In Memoriam cards can be ordered from Ontario Command at no cost.
- follow the chain of command when looking for advice or information. If the District Director cannot help, Ontario Command will be able to help you.

### **Branch Charitable Foundation Chair**

The Branch Chair shall become familiar with the Charitable Foundation by attending any seminars and/or meetings as suggested by the District Director of the Charitable Foundation. They shall also ensure they visit the Ontario Command website to familiarize themselves with

the Terms of Reference and Guidelines as well as the Roles and Responsibilities of their office. (Please refer to information under Manuals and Promotional Materials of this document.)

- encourage qualifying institutions to apply to the Charitable Foundation program, i.e. hospitals, not-for-profit homes, health clinics, homes for the aged and fire departments by providing them with the information brochure relative to the program and ensure copies are on hand for distribution. Copies are available from Ontario Command. Enquiries from prospective applicants shall be referred to the website ([www.on.legion.ca](http://www.on.legion.ca)) for the most up to date information.
- (who is the most direct contact for an institution) should never suggest that a grant will be approved until it is approved by the Provincial Committee.
- ensure they advise prospective applicants that the deadlines are firm and they cannot speak on behalf of the applicant to make exceptions.
- in cooperation with the Branch President, on receipt of the cheque shall organize a cheque presentation involving a photo opportunity which will include a representative of the Ladies' Auxiliary. Kindly ensure the photo with caption is forwarded to the Legion Magazine through the Ontario Correspondent.
- ensure that the District Charitable Foundation Director is aware of the cheque presentation and should invite the District Director to be included in the presentation.
- ensure that In Memoriam cards are distributed to the funeral homes in their area for consideration of donation to the Charitable Foundation. In Memoriam cards can be ordered from Ontario Command at no cost.
- follow the chain of command when looking for advice or information and speak to their Zone CF Chair first. If your Zone CF Chair cannot help you, please contact the District Director who will be able to help you.

# **THE ROYAL CANADIAN LEGION, ONTARIO PROVINCIAL COMMAND BRANCHES AND LADIES' AUXILIARIES CHARITABLE FOUNDATION**

## **BY-LAW NO. 1**

A by-law relating generally to the transaction of the affairs of THE ROYAL CANADIAN LEGION ONTARIO PROVINCIAL COMMAND CHARITABLE FOUNDATION BE IT ENACTED as a by-law of THE ROYAL CANADIAN LEGION ONTARIO PROVINCIAL COMMAND CHARITABLE FOUNDATION AS FOLLOWS:

### **HEAD OFFICE**

1. The Head Office of the Foundation shall be in, The City of Aurora, in the Province of Ontario, at the office of The Royal Canadian Legion Ontario Provincial Command.

### **SEAL**

2. The seal, an impression whereof is stamped in the margin hereof, shall be the corporate seal of the Foundation.

### **MEMBERS**

3. The membership shall consist of the applicants for the incorporation of the Foundation and the members of the Provincial Executive Council of The Royal Canadian Legion Ontario Provincial Command. The interest of a member in the Foundation is not transferable and a vacancy in membership shall occur in each of the following circumstances, if a member shall die or be found to be a mentally incompetent person or become of unsound mind or if, by notice, in writing to the Foundation, he resigns as a member or as a director. Members may resign by resignation, in writing, which shall be effective upon acceptance thereof by the board of directors. Each member in good standing shall be entitled to one vote on each question arising at any special or general meeting of the members.

### **BOARD OF DIRECTORS**

4. (a) The affairs of the Foundation shall be managed by Board of Nineteen (19) directors. One director shall be nominated by each District Executive Council; the President of the Foundation shall be nominated by the Administrative Committee of The Royal Canadian Legion Ontario Provincial Command, subject to confirmation by the Provincial Executive Council. The Provincial President, Immediate Past Foundation President, Provincial First Vice President, the Provincial Honourary-Treasurer, the Provincial Executive Director, the Provincial Assistant Executive Director, the Provincial Bursary Chairman and two members of the Ladies' Auxiliary (being the LA President and LA 1<sup>st</sup>



Vice President) to the Ontario Provincial Command, shall be directors of the corporation by virtue of their office in The Royal Canadian Legion Ontario Provincial Command.

- (b) The term of office of the directors shall be for a two year period following appointment by the Provincial Executive Council, or until a successor shall have been appointed and/or elected. The members of the board shall be ratified at a meeting of the Foundation coincidental with the first meeting of the Provincial Executive Council, following the Biennial Provincial Convention. The members of the Foundation may, by resolution, passed by at least two-thirds of the votes cast at a general meeting, of which notice specifying the intention to pass such resolution has been given, remove any director before the expiration of his term of office and may, by majority of the votes cast at that meeting, elect and/or appoint any person in his stead for the remainder of his term. Notwithstanding the foregoing, where a director has been appointed by a District Council, his replacement shall be appointed by the District concerned.

### **VACANCIES, BOARD OF DIRECTORS**

5. Vacancies on the board of directors however caused, may, so long as a quorum of directors remain in office, be filled by the directors from among the qualified members of the Foundation, if they shall see fit to do so, otherwise, such vacancy shall be filled at the next biennial meeting of the members at which the directors for the ensuing term are elected but, if there is not a quorum of directors, the remaining directors shall forthwith call a meeting of the members to fill the vacancy.

Notwithstanding the foregoing, where a director has been appointed by a District Council, his replacement shall be appointed by the District concerned.

### **QUORUM AND MEETINGS, BOARD OF DIRECTORS**

6. A majority of the board of directors shall form a quorum for the transaction of business. Except as otherwise required by law, the board of directors may hold its meetings at such place or places as it may from time to time determine. No formal notice of any such meeting shall be necessary if all the directors are present or, if those absent have signified their consent to the meeting being held in their absence. Directors' meetings may be formally called by the President or Vice-President, or by the Secretary, on direction of the President or Vice-President. Notice of such meetings shall be delivered, telephoned, emailed or mailed to each director at least one month before the meeting is to take place. A directors' meeting may also be held, without notice, immediately following the annual meeting of the Foundation. The directors may consider or transact any business either special or general at any meeting of the boards.

### **ERROR IN NOTICE, BOARD OF DIRECTORS**

7. No error or omission in giving such notice for a meeting of directors shall invalidate such meeting or invalidate or make void, any proceedings taken or had at such meeting and,

any director may at any time waive notice of any such meeting and may ratify and approve of any or all proceedings taken or had thereat.

### **VOTING, BOARD OF DIRECTORS**

8. Questions arising at any meeting of directors shall be decided by a majority of votes. In case of an equality of votes, the Chairman shall have the casting vote, providing he has not previously voted on the question. All votes at any such meeting shall be taken by ballot if so demanded by any director present but if no demand be made, the vote shall be taken in the usual way by assent or dissent. A declaration by the Chairman that a resolution has been carried and, an entry to that effect in the minutes shall be admissible in evidence as prima facie proof of the fact with proof of the number or proportion of the votes recorded in favour of or against such resolution. In the absence of the President, his duties may be performed by the Vice-President or such other director as the board may from time to time appoint for the purpose.

### **POWERS**

9. The directors of the Foundation may administer the affairs of the Foundation in all things and make or cause to be made for the Foundation, in its name, any kind of contract which the Foundation may lawfully enter into and, save as hereinafter provided, generally may exercise all such other power and do all such other acts and things as the Foundation is by its charter or otherwise authorized to exercise and do. Without in any way derogating from the foregoing, the directors are expressly empowered from time to time, to purchase, lease, or otherwise acquire, alienate, sell, exchange or otherwise dispose of shares, stocks, rights, warrants, options, and other securities, lands, buildings and other property, movable or immovable, real or personal, or any right or interest therein owned by the Foundation, for such consideration and upon such terms and conditions as they may deem advisable.

### **REMUNERATION OF DIRECTORS**

10. The directors shall receive no remuneration for acting as such. The directors shall be entitled to receive remuneration of expenses incurred while in attendance at meetings of the directors and of the Foundation, such expenses shall include cost of transportation and not more than two(2) days per diem or portion thereof, in accordance with the rate established from time to time by The Royal Canadian Legion, Ontario Provincial Command.

### **OFFICERS OF THE FOUNDATION**

11. \*There shall be a Foundation President, a Foundation Vice-President, a Secretary and a Treasurer, or in lieu of a Secretary and Treasurer, a Secretary-Treasurer, the LA Provincial President and such other officers as the board of directors may determine by by-law from time to time. One person may hold more than one office except the offices of President and Vice-President. The President shall be appointed as heretofore

prescribed and the Vice-President shall be the Command First Vice-President. The Secretary of the Foundation shall be the Provincial Executive Director and the Treasurer shall be the Treasurer of The Royal Canadian Legion, Ontario Provincial Command.

### ***DUTIES OF PRESIDENT AND VICE-PRESIDENT***

12. The President shall, when present, preside at all meetings of the members of the Foundation and of the Board of Directors. The President shall also be charged with the general management and supervision of the affairs and operations of the Foundation. The President with the Secretary or other officer appointed by the board for this purpose, shall sign all by-laws. During the absence or inability of the President, his duties and powers may be exercised by the Vice-President, and if the Vice-President, or such other director as the board may from time to time appoint for the purpose, exercise any such duty or power.

### **DUTIES OF SECRETARY**

13. The Secretary shall be ex-officio clerk of the board of directors. He shall attend all meetings of the board of directors and record all facts and minutes of all proceedings in the books kept for the purpose. He shall give all notices required to be given to members and to directors. He shall be the custodian of the seal of the Foundation and of all books, papers, records, correspondence, contracts and other documents belonging to the Foundation which he shall deliver up only when authorized by a resolution of the board of directors to do so and to such person or persons as may be named in the resolution, and he shall perform such other duties as may from time to time be determined by the board of directors.

### **DUTIES OF TREASURER**

14. The Treasurer or person performing the usual duties of a treasurer, shall keep full and accurate accounts of all receipts and disbursements of the Foundation in proper books of account and shall deposit all monies or other valuable effects in the name and to the credit of the Foundation in such bank or banks as may from time to time be designated by the board of directors. He shall disburse the funds of the Foundation under the direction of the board of directors, taking proper vouchers therefore and shall render to the board of directors at the regular meetings therefore or whenever required of him, an account of all his transactions as Treasurer, and of the financial position of the Foundation. He shall also perform such other duties as may from time to time be determined by the board of directors.

### **SIGNING OFFICERS**

15. \*The authorized signing officers of the Foundation shall be the Foundation President or Vice-President (Provincial 1<sup>st</sup> Vice President) or Immediate Past President and the Executive Director or Treasurer or Assistant Executive Director, and shall be bonded.

## **DUTIES OF OTHER OFFICERS**

16. The duties of all other officers of the Foundation shall be such as the terms of their term of office call for or the board of directors requires of them.

## **EXECUTION OF DOCUMENTS**

17. Deeds, transfers, licences, contracts and engagements on behalf of the Foundation shall be signed by either the Foundation President or Foundation Vice-President and by the Secretary or Treasurer and the Secretary shall affix the seal of the Foundation to such instruments as require the same.

The authorized signing officers, subsequent to the approval of the board, may transfer any and all shares, bonds or other securities from time to time standing in the name of the Foundation and its individual or any other capacity or as trustee or otherwise and may accept in the name and on behalf of the Foundation transfers of shares, bonds or other securities from time to time transferred to the Foundation, and may affix the corporate seal to any such transfers or acceptances of transfers and may make, execute and deliver under the corporate seal any and all instruments in writing necessary or proper for such purposes including the appointment of an attorney or attorneys to make or accept transfers of shares, bonds or other securities on the books of any company or corporation.

Notwithstanding any provision to the contrary, contained in the by-laws of the Foundation, the board of directors may, at any time by resolution, direct the manner in which, and the person or persons by whom, any particular instrument, contract or obligation of the foundation may or shall be executed.

## **BOOKS AND RECORDS**

18. The directors shall see that all necessary books and records of the Foundation required by the by-laws of the Foundation or by any applicable statute or law are regularly and properly kept.

## **ANNUAL AND OTHER MEETINGS OF MEMBERS**

19. The directors of the Foundation shall meet at least once annually at the call of the President.

The annual or any other general meeting of the members shall be held at the head office of the Foundation or elsewhere in Ontario as the board of directors may determine. At every annual meeting, in addition to any other business that may be transacted, the report of the directors, the financial statement and the report of the auditors shall be presented and auditors appointed for the ensuing year and the remuneration of the auditors shall be approved. The member may consider and transact any business either special or general without any notice thereof at any meeting of the members. No public notice nor advertisement of members' meetings, annual or general shall be required, but notice by

prepaid mail or telegraph, at least one month before the time fixed for the holding of such meeting; provided that any special meetings of members may be held at any time and place without such notice if a majority of members of the Foundation are present thereat, and at such meeting any business may be transacted which the Corporation at annual or general meetings may transact.

### **ERROR OR OMISSION IN NOTICE**

20. No error or omission in giving notice of any annual or general meeting or any adjourned meeting, whether annual or general, of the members of the Foundation, shall invalidate such meeting or make void any proceedings taken thereat and any member may at any time, waive notice of any such meeting or may ratify, approve and confirm any or all proceedings taken or had thereat. For the purpose of sending notice to any member, director or officer, for any meeting or otherwise, the address of any member, director or officer shall be his last address recorded on the books of the Foundation.

### **QUORUM OF MEMBERS**

21. A quorum for the transaction of business at any meeting of members shall consist of a majority of the members in person.

### **VOTING OF MEMBERS**

22. Subject to the provisions, if any, contained in the letters patent of the Foundation, each member of the Foundation shall at all meetings of members be entitled to one vote.

### **FINANCIAL YEAR**

23. \*Unless otherwise ordered by the Board of Directors, the fiscal year of the Foundation shall be from June 1<sup>st</sup> to May 31<sup>st</sup>.

### **CHEQUES, ETC.**

24. All cheques, bills of exchange or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Foundation, shall be signed by the authorized signing officers of the Foundation and in such manner as shall from time to time be determined by resolution of the board of directors and any one of such officers may alone endorse notes and drafts for collection on account of the Foundation through its bankers, and endorse notes and cheques for deposit with the Foundation's bankers for the credit of the Foundation, or the same may be endorsed "for collection" or "for deposit" with the bankers of the Foundation, by using the Foundation's rubber stamp for the purpose. Any one of such officers so appointed may arrange, settle, balance and certify all books and accounts between the Foundation the Foundation's bankers and may receive all paid cheques and vouchers and sign all the bank's forms or settlement of balances and release or verification slips.

## **DEPOSIT OF SECURITIES FOR SAFEKEEPING**

25. The securities of the Foundation shall be deposited for safekeeping with one or more financial institutions to be selected by the board of directors. Any and all securities so deposited may be withdrawn from time to time, only upon the written order of the authorized officers of the Foundation, and in such manner, as shall from time to time be determined by the Foundation. The institutions so selected as custodians by the board of directors shall be fully insured when acting in accordance with the wishes of the board of directors

## **NOTICE**

26. Whenever under the provisions of the by-laws of the Foundation, notice is required to be given, such notice shall be given in writing and signed by the person submitting the notice, by depositing same in a Post Office or public letter box in a prepaid sealed wrapper, addressed to the Secretary of the Foundation at least 60 days prior to the annual meeting of the Foundation to the address as the same appears on the books of the Foundation. A notice or other document so sent by post shall be held to be sent at the time when the same was deposited in a Post Office or public letter box as aforesaid. For the purpose of sending any notice, the address of any member, director or officer shall be his last address as recorded on the books of the Foundation.

## **BORROWING**

27. The board of directors may from time to time:
- a) borrow money on the credit of the Foundation; or
  - b) issue, sell or pledge securities of the Foundation; or
  - c) charge, mortgage, hypothecate or pledge all or any of the real or personal property of the Foundation, including book debts, rights, powers, franchises and undertakings, to secure any securities or any money borrowed or, other debt, or any other obligation or liability of the Foundation.

From time to time the board of directors may authorize any director, office or employee of the Foundation or any other person to make arrangements with reference to the moneys borrowed or to be borrowed as aforesaid and as to the terms and conditions of the loan thereof, and as to the securities to be given therefore, with power to vary or modify such arrangements, terms and conditions and to give such additional securities for any moneys borrowed or remaining due by the Foundation as the board of directors may authorize and, generally to manage, transact and settle the borrowing of money by the Foundation.

## FINANCE / INVESTMENT COMMITTEE

- 28.a) The Finance committee shall be composed of the Foundation President, the Foundation Immediate Past President, The Honourary Treasurer, Provincial President, 1<sup>st</sup> Vice President, the Ladies Auxiliary Provincial President, **the Executive Director or Assistant Executive Director Committee and** Committee Secretary. The Foundation President or his appointee will be Chairman of the Committee. The Finance Committee shall keep the Directors informed of the financial status of the Foundation at all times and, to include such information as; capital funds, amount of receipted donations, amount of non-receipted donations, investment and interest received.
- b) The Investment Committee will include the Charitable Foundation President, The Command President; The Command 1st Vice President, The Honourary Treasurer, the Ladies Auxiliary Provincial President, The Command Executive Director, The Command Assistant Executive Director. The Command Accountant will be ex-officio. The Foundation President will serve as Chairman.

## INTERPRETATION

29. In these by-laws and in all other by-laws of the Foundation hereafter passed, unless the context otherwise requires, words importing the singular number or the masculine gender shall include the plural number or the feminine gender, as the case may be, and vice-versa, and references to persons shall include firms and corporations.

This by-law may be amended, repealed or re-enacted at any annual or special meeting of the Foundation by a majority vote provided 60 days notice has been given to the Foundation of such proposed amendment.

Passed by the corporation and sealed with the corporate seal this Eighteenth Day of November, Two Thousand and Eighteen.

*As amended November 16, 2018*

## BURSARY PROGRAM

The program is designed to assist those students who are in need and who enter a post-secondary school of education (including courses and programs of a technical and vocational nature) and pursue the same course throughout their academic years (maximum of five years). It is not intended to assist students who change courses in mid-stream without a valid reason. As funds are limited, students should apply early to avoid disappointment.

### Categories of Eligibility:

- Ex-Servicemen or currently serving members of The Canadian Forces (Regular, Reserve and Merchant Navy) and their spouse; children, and grandchildren; Commonwealth war Veterans and their spouse, children and grandchildren.
- Ordinary and Life members of The Royal Canadian Legion and their spouse, children and grandchildren.
- Associate members of The Royal Canadian Legion and their children.
- Ladies' Auxiliary members and their children and grandchildren.

**Note:** Stepchildren and step grandchildren are recognized the same as children and grandchildren and considered where applicable.

### Application Form:

The responsibility for the completed application form rests with the student. The application must be mailed directly to Provincial Headquarters. Incomplete applications that do not contain the proper information, endorsements, and/or documents cannot be considered and will be returned to the applicants **one time only** for resubmission with all the required information and documents by the deadline date. Any application that is returned and is still incomplete on resubmission, will receive no further consideration.

Students must make an application to the Ontario Student Assistance Program (OSAP) (or its equivalent in other provinces) in order to be eligible for financial consideration under the Bursary Program. The deadline for an OSAP application is the end of January each year. The deadline for applications to be received at Provincial Headquarters is the last Friday of March each year.

In order for a student to be eligible to apply for financial assistance through OSAP, the institution to which he or she plans to attend must be designated by the Province of Ontario for OSAP purposes.

A copy of the OSAP "Application Data on File" and "Funding Summary" must be attached to the application form; otherwise, the application will be considered null and void.

If OSAP deems the student to be ineligible, a copy of their "Application Data on File" and "Status Summary" confirming their ineligibility must be attached to the application. Consideration will be



given to a student who is undertaking either distance or continuing education. The decision rests with the District Review Committee and is final.

Students seeking assistance on an ongoing basis must submit a new application annually prior to any consideration being given to their request.

An application from a mature student will be judged on its own merit.

All requests for emergency educational assistance shall be processed as an application for a regular Bursary Award.

Part-time students must carry at least 20% of a course load in a program in order to be eligible for consideration of an award.

Courses designed to provide qualification for employment opportunities may be eligible.

When a student submits an application for consideration of an award, family net income, student income and assets, the number of dependents residing at home and/or attending a post-secondary school of education, whether a student is residing at home or in residence, etc. are all taken into account.

Section “B” of the Bursary Application is applicable only to Ex-Service personnel (living or deceased) or currently serving members of The Canadian Forces (Regular, Reserve and Merchant Navy) and their spouse, children, and grandchildren; Commonwealth war veterans and their children and grandchildren who are not Legion Members. A photocopy of the Veteran’s Discharge Certificate or Record of Service or MPRR must be attached to the application form. Send a photocopy only. In the case of grandchildren, further proof to establish relationship may also be required. Documents to support this may include the birth or marriage certificate of a parent(s), birth announcement of the student (grandparents may be listed) or the obituary notice of the Veteran.

Sections “C” and “D” are applicable to the applicant who is a member, or whose parents or grandparents are living members of the Legion, or the Ladies’ Auxiliary. Verification of the Legion or Auxiliary membership is to be made by a Branch or Auxiliary President, Secretary, or Membership Chair. A photocopy of proof of eligibility may be attached.

**The Member must be living and in good standing. Associate Member’s Grandchildren and Affiliate Members and family cannot apply to the program.**

Section “E” of the application – student must print off a copy of either the “Verification of Enrollment” or “Confirmation of Enrollment” or “Unofficial Transcript” from their online school profile. Alternatively, have section e completed by the Registrar’s office. We do not accept letters of acceptance or account statements.

Section "F" of the application form must be completed and endorsed by the vocational school or apprenticeship committee for those who are in an apprenticeship program.

**Note: The Royal Canadian Legion reserves the right to authenticate all information pertaining to the application, prior to any decision being given.**

### **Out of Province Applications:**

Applications submitted by students whose permanent residence is outside of Ontario, but who are attending schools in Ontario, will be accepted for consideration by the District Committee in which the school is located. This is in accordance with reciprocal arrangements with other Provincial Commands. Students, who attend school outside of Ontario but whose permanent residence is in Ontario, may apply and must submit proof that they have applied for student aid in the province where they are attending school.

### **Duplicate Applications:**

The District Chair are to be on guard for duplicate applications submitted from the same Branch and L.A., different Branches or L.A.'s etc. Student applicants must be double checked by Districts due to the large number of applications processed at Provincial Headquarters.

### **Application Time Frames:**

The application period is from September 1<sup>st</sup> to the last Friday of March each academic year. Normally two semesters will make up one academic year. **Applications received after the last Friday of March deadline date will not be given consideration.**

The District Bursary Committees must complete their review of all applications as soon as practical, and in any case, no later than the end of April, and return the approved applications to the Provincial Bursary Secretary for processing.

Successful students will be notified of their award by Provincial Headquarters upon receipt of the recommendation from the District Chair and will have until September 30<sup>th</sup> of each year to claim it.

### **Disposition of the Application Form:**

All applications must be submitted directly to the Provincial Headquarters for documentation prior to distribution to the District Chair on an ongoing basis. The disposition of each application is the responsibility of the District Bursary Committee.

Applications are distributed to the District Bursary Chair, as noted hereunder:

- a) To the District Bursary Chair, as denoted by the Branch of which the sponsor is a member and as stated on the Application Form.

- b) If the sponsor is deceased - to the Bursary Chair of the District in which the parent/or student resides; and
- c) If the sponsor is not a member - to the Bursary Chair of the District in which the parent/or student resides.

**Awards and Allocation of Funds:**

The Provincial Bursary Chair will liaise with the President of the Charitable Foundation to determine the amount of funds available upon which the budget request may be based.

The amount of the Bursary award will be reviewed annually at the Provincial Bursary Committee Meeting.

The quota of Bursaries available for awarding will be determined by dividing the approved Bursary budget by the amount of the Bursary award.

**Note:** The number of Bursaries available will be given to the first eligible applications to reach the yearly quota, on a first come first served basis.

**Academic/Scholastic Year:**

The Scholastic Year is - September 1st to August 31st of the following year and it is generally accepted that two semesters cover the period.

**Notification of Approved Applications:**

Approved applications shall be returned to the Provincial Headquarters by the District Bursary Chair.

Applicants, who have been approved for Bursary assistance, will be notified by the Provincial Headquarters upon receipt of the recommendation from the District Chair.

Awards will be distributed to qualifying students commencing in January contingent upon confirmation from the post-secondary institution to Provincial Headquarters that the student in question has returned to school for their second semester, in the same time frame that the Bursary was applied for. Confirmation may be in official letter format bearing the institution's seal or online verification of enrolment documents that are accessed through a secure website. If the program has just ended, a copy of the Certificate or Diploma may also be provided. The deadline for submitting this confirmation is September 30<sup>th</sup>.

Students who fail to return for their second semester are not eligible to receive an award.

Students who are enrolled in a vocational trade or any form of apprenticeship program must provide a copy of their diploma showing completion of the program before issuance of the bursary award.

### **Notification of Declined or Deferred Applications:**

Unsuccessful applicants are to be notified by the District Chair that their application has been declined. The District Chair will keep the rejected applications in their own district file for two years and at the end of this period, the applications and documentation will be shredded. A copy of the decline letter and a note outlining the reason for the decline shall be sent to Provincial Headquarters for record keeping.

The District Committee reviewing the applications may at its discretion refer an application to another level (District, Zone or Branch) with a specific recommendation as to the worthiness of the application. If this option is acted upon, the student must be notified that they were unsuccessful at Provincial level.

An application may be deferred to another meeting and retained on file by the District Committee until the decision is made. Provincial Headquarters shall be notified of this action and the reason(s) for doing so.

### **Committee Meetings:**

District Bursary Committee meetings are to be held at the discretion of the District Bursary Chair. A maximum of three committee meetings per academic year is recommended. The final meeting for the year should not be scheduled until the final set of applications has been received. The deadline date for receipt at the Provincial Headquarters is the last Friday of March and additional time should be allotted for administrative procedures and forwarding of the applications to the appropriate Chair. If more than three meetings are required, the District Chair are required to request authorization for a fourth meeting from the Executive Director in writing, stating the reason for the fourth meeting.

When the District Bursary Chair has established the time, place and date for the District Bursary Review Committee Meeting(s), a copy of the notice shall be forwarded to the Provincial Bursary Chair, the Program Coordinator of the Bursary Committee in the Provincial Headquarters and the Senior Provincial Ladies' Auxiliary Officer. The designated Senior Ladies' Auxiliary Committee Members are to be automatically notified of the meeting dates, times and places by the District Chair as they are automatically members of the District Bursary Review/Selection Committee. The District Bursary Review/Selection Committee shall at a minimum consist of the Chair, two Ladies' Auxiliary Zone Commanders, and one Senior Provincial Officer from the Ladies' Auxiliary residing in the District. If the Ladies' Auxiliary Zone Commander cannot attend the meeting, the Ladies' Auxiliary has directed that the Deputy Zone Commander is to attend.

Appointments of Ladies' Auxiliary Committee Members are made to coincide with the Ladies' Auxiliary Provincial Command elections and appointments to committees at Provincial and District level.

**Confidentiality Agreement:**

Each District Chair shall submit copies of the signed "Confidentiality Agreement" of their review/selection committee members to the Provincial Bursary Secretary. These will be included with the bursary applications each year.

**Bursary Reports**

The Provincial Bursary Chair is required to make a report to PEC each November and to Provincial Convention detailing actions taken during the applicable period.

Each District Bursary Chair is required to submit a District Bursary Report to the Provincial Bursary Chair so that District information may be included in the report to PEC.

The District Bursary Chair shall ensure that after each District Bursary Review/Selection Meeting, a report is compiled and forwarded to Provincial Headquarters. The Ladies' Auxiliary Bursary Representatives shall submit a report to the Ladies' Auxiliary President, Ladies' Auxiliary 2<sup>nd</sup> Vice President and the Ladies' Auxiliary Secretary-Treasurer for monitoring/authorizing of expenses for attendees.

**Provincial Bursary Committee:**

The Provincial Bursary Committee shall consist of the following:

- (a) One representative from each District;
- (b) Vice-President Ladies' Auxiliary as appointed by the L.A. President to Ontario Command
- (c) President of the Charitable Foundation; and
- (d) The Program Coordinator.

**Expense Policy:**

- (a) Expenses incurred by the above Committee Members to attend the annual meeting of the Provincial Bursary Committee are borne by Ontario Command, through the Charitable Foundation.

- (b) Ontario Command will pay for the expenses of the District Chair to attend meetings related to their Provincial responsibilities.
- (c) The Ladies' Auxiliary is responsible for expenses incurred by their representatives to attend District and other meetings of the Bursary Committee.
- (d) Expenses incurred by additional zone members are the responsibility of the individual zone.

**Manual and Materials (for reference purposes only)**

- (a) Current "Membership Manual"
- (b) Current "Legion Officers Manual"
- (c) Current "Poppy Manual"

**Provincial Bursary Chair**

- (a) The Chair is responsible to the Provincial President and elected officers of Ontario Command for an efficient and successful Provincial Bursary program.
- (b) The Chair shall convene a meeting of the Committee when required and within the policy of the Command. (Command policy requires that the Chair of the Bursary Committee shall provide the Provincial President with a copy of the proposed agenda for approval prior to the meeting date).
- (d) The Chair shall be responsible to ensure that communication is established with all levels of Ontario Command in matters that fall within their jurisdiction.
- (e) The Chair shall ensure that all information discussed at the committee meetings is conveyed by the District Chair to all levels of their respective Districts.
- (f) The Chair shall ensure that the recommendations of the committee in matters of policy are presented to the Charitable Foundation, Provincial Administrative Committee and the Provincial Executive Council for their approval prior to implementation.

**District Bursary Chair**

- (a) The District Bursary Committee shall include the District Bursary Chair, two Zone Commanders from the Ladies' Auxiliary, and one Senior Provincial Officer of the Ladies'

Auxiliary residing in the District. If possible, each Zone should be represented however additional members are at the discretion of the District Bursary Chair.

- (b) The District Chair shall provide the Provincial Chair with a copy of all reports, circulars, notices, etc., which are presented at Convention or are circulated in the District.
- (c) The District Chair and the Committee are responsible for the disposition of all Bursary applications forwarded to them by Provincial Headquarters. Standing Committee programs shall be discussed at District Level, and it is the responsibility of the District in co-operation with the District Bursary Chair to organize seminars at District and/or Zone Levels.
- (d) It should be noted that seminars at Branch or Zone Levels are the responsibility of the Zone and/or District Bursary Chair. It is not the responsibility of the Provincial Bursary Chair to conduct seminars at Branch or Zone Level.
- (e) An invitation may be extended to a Provincial Bursary Chair by a District Commander to assist in the presentation of a seminar at District level. Invitations of this nature must be submitted through the Provincial Headquarters for approval.

**Responsibilities of the District Bursary Chair:**

The District Chair shall be a member of the Provincial Bursary Committee.

The District Chair shall ensure that the Bursary Program is promoted by the Branches and Zones to schools, colleges and universities in their areas, and that all those involved are familiar with the program as outlined in the Legion Officer's Manual.

The District Chair shall promote the Provincial Bursary Program through seminars and reports to Conventions to ensure continued support from Branches and Ladies' Auxiliaries.

The District Chair shall set the dates, times and places for the District Bursary Review Meetings (maximum three per academic year). The final meeting shall be in April after the last applications have been forwarded by Provincial Headquarters. Reviews/Selections must be completed by the end of April and submitted to Provincial Headquarters no later than the first week of May. Each District Bursary Review Committee shall consist of the District Chair, two Ladies' Auxiliary Zone Commanders and one Senior Provincial Officer of the Ladies' Auxiliary (this is the minimum requirement).

The District Chair shall ensure that all members of their Committees understand the requirement for confidentiality and that applications are assessed in an objective manner based solely on the eligibility criteria and the **financial need** of the student.

The District Chair shall notify Provincial Headquarters of the approval or rejection of all applications reviewed. Successful applications are to be returned to Provincial Headquarters as

soon as possible. Unsuccessful applicants shall be notified by the District Chair using the approved “Letter of Rejection”, a copy of which shall be sent to Provincial Headquarters with a note giving the reasons for the rejection.

The District Chair shall provide the Provincial Bursary Chair with copies of all Bursary Reports, Information Letters, etc. that are circulated or forwarded within or from their Districts. District Bursary Reports to District Conventions are required by the Provincial Bursary Chair for information inclusion in the Bursary Report to P.E.C.

Additionally, The District Chair shall file a Bursary Report with the Provincial Bursary Chair prior to the Provincial Convention so that District information can be included in the Bursary Report to the Convention.

The Chair shall provide copies of the Bursary Review/Selection Reports to the Ladies’ Auxiliary Provincial President, the Ladies’ Auxiliary 2<sup>nd</sup> Vice-President and to the Ladies’ Auxiliary Secretary-Treasurer for review and record keeping.

The Chair shall contact the Provincial Bursary Chair with any problems that arise in the administration of the Bursary Program within their Districts.



## **HONOURS AND AWARDS**

Studies show that most volunteers believe the best form of recognition is to know the impact of their work towards the Legion's mission and our work in the Community. Let your members know that they are the most important element of the Legion and without their work, the Legion would not exist. Say 'thank you' and 'job well done' often. Show your appreciation - they will enjoy their work, become more involved and perhaps gain interest in leadership positions.

The Legion can demonstrate its appreciation to their volunteers in a more tangible way by rewarding them through our Honours and Awards Program.

Honours and Awards are not just once a year. How many times have awards been planned only to find the member has passed away or not renewed their membership because they did not feel valued?

### **The Provincial Honours and Awards Committee**

The Committee is comprised of a Chair and two members who reside close to one another. Applications received at Provincial Headquarters are forwarded with all related documentation to the members of the Committee, at the end of each month.

The Committee is provided with mileage to attend Committee Meetings. No overnight accommodation is permitted. The monthly meeting of the Committee is held in the area where the Committee Members reside. More Zoom meetings are being held these days after Covid.

The Provincial Honours & Awards Committee have prepared guidelines, which can be found on the Provincial website [www.on.legion.ca](http://www.on.legion.ca), Forms & Manuals, Honours & Awards.

### **HOW TO BEGIN THE HONOURS AND AWARDS PROCEDURE:**

The Branch President should appoint a knowledgeable and caring Committee who will look at the work of the membership and consider nominations recommending members who are worthy of an award. The Committee needs to consider - have the members done outstanding service, over and above the normal requirements of an elected office or Branch member?

Order the proper forms from Provincial Headquarters: or on-line at the Dominion Command website under "forms" or Provincial website [www.on.legion.ca](http://www.on.legion.ca) under "Forms and Manuals".

- Life Membership #800282
- MSM or Palm Leaf #800281
- Media #800464
- Friendship #800753

Complete all lines on the application providing the information required. Incomplete or outdated applications will be returned. A Senior Officer (preferably the President and the Secretary) must

sign the application. Specify on all copies of applications to whom the correspondence should be directed – if other than the Secretary of the Branch.

Make 2 (two) copies, keep one (1) at the Branch and send one (1) to Provincial Headquarters by either email (gcarpenter@on.legion.ca), fax (905-841-9992) or regular mail.

## **CITATION**

- A detailed citation about your nominee is extremely important to those that are tasked with making the final decision. They do not know the person you are nominating nor the work they have done therefore it is very important to be as precise and detailed as possible in your documentation. And remember, it is outstanding service, above and beyond, rendered in the Legion and in the community that the member is being recognized for in recommending the award.
- Type the citation on the back of the application in point form, or if longer, on a separate sheet and attach to the application. List all pertinent data, offices held with dates and spans of time involved. Any additional information of the activities, achievements & Committee work should be stated.
- Upon completion of the citation, the two Officers who signed the front of the application must also sign the citation document(s). (i.e. If the citation has been prepared on a separate piece of paper, please have the same Officers sign that paper too).
- The date of the application, meeting Minutes and citation must not exceed six (6) months from the date of Branch approval. This is called “stale dated” and will be declined.
- If a Branch cannot find either a Life or MSM application or citation, for a variety of reasons, such as, fire, flood, moved and files have been lost, then they must send an accompanying letter stating that this has happened and the reason(s) why the applications/citations cannot be provided.
- State the type of meeting (Executive or General) and quote the motion, full applicants’ name, nominator and seconder to approve the award and attach minutes to the application. All meeting minutes must be attached in full, (partial or 1 page of meeting minutes will cause the application to be returned). The date of the meeting minutes should match the date of the meeting on the application.
- If the award is to be a surprise to the member, then an “In Camera” meeting can be held before or after the General or Executive meeting or a Special Executive meeting called for that purpose. The “in Camera or Special” meeting Minutes should be an addendum to the Executive or General Meeting Minutes.
- It is recommended that a family member NOT be a signing Officer on the application.
- **NOTE: Do not send money/cheque with the application.**

**IF THE AWARD IS APPROVED**, you will receive notification from Provincial Headquarters informing you of the documentation required to send to Dominion Headquarters where applicable.

**TIME REQUIRED TO PROCESS AN APPLICATION:** both Provincial and Dominion Committees sit once a month; the turn around time for Life Membership applications should be 2 months; allow 3 months for MSM & Palm Leaf. Please note this timing is providing the application has been properly prepared.

## **TYPES OF AWARDS**

- **Life Membership** A Life Membership may be awarded to any Ordinary, Associate, or Affiliate Voting member for outstanding service upon nomination of the Branch and may not be recommended until the member has completed at least 10 years of membership. The 10-year membership requirement is 10 consecutive years immediately prior to the date of nomination.

- **Meritorious Service Medal - MSM** One only may be awarded regardless of the level. The criteria for these awards are clearly outlined in the 'Ritual, Awards and Protocol' manual, item #700214. All offices held by the member being recommended should be included and dates and spans of time should be noted. These facts in themselves are not necessarily sufficient for the award since it is expected that such elected or appointed members will assume the responsibilities of their positions. Meritorious Service is service above and beyond that required for the fulfillment of any specific Office, Committee or appointed task.

The citation should provide details of the service rendered outside of the normal requirements of any Office including community service. The application must be accompanied by a copy of the Life Membership Application. The Committee will only consider accomplishments after the Life Membership being awarded, nothing prior to that date.

- **Palm Leaf:** Only one Palm Leaf may be awarded regardless of the level. A Palm Leaf may be awarded to the holder of the MSM for subsequent additional Meritorious Service.

When consideration is being given to such an award, only the period from the date of the award of the original Medal is to be considered and form the citation. A copy of the application for which the MSM has been awarded shall accompany each application, and the citation shall be for the period since the MSM has been awarded.

- **PAST OFFICER BARS & MEDALS:** To be eligible for a Past Officer award, the member in question must have completed at least one term of Office. However, where a full term of Office has not been completed because of the inability of the incumbent to carry on by reason of transfer, illness or other valid reasons, the Branch may approve the award, providing that at least 50% of a term plus one day has been completed. Any member completing at least 50% of a term of Office plus one day, replacing an Officer who has left Office for various reasons, shall be entitled to a Medal for the Office he has replaced. One Medal only may be awarded at each level, regardless of

whether the member concerned may have held more than one Office at that level. All Past Officer Bars and Medals are available through Dominion Command. (#800284). Please note - it is recommended that the form for "Awards for Past Service" be completed for records at Branch level. It is not a requirement from Dominion Command; they only require an order form.

- **BARS TO PAST OFFICE MEDALS:** One bar only may be awarded for a specific Office at each level, notwithstanding that the member may have held the same Office for more than one term, consecutively or non-consecutively.

- **PAST PRESIDENT MEDAL:** One "Past President" Medal only will be awarded at each level (Dominion, Provincial, Branch), notwithstanding that the member may have held the Office for more than one term, consecutively or non-consecutively.

- **THE MAPLE LEAF BAR:** to the Past President's Medal may be awarded after the completion of a second full term in that Office and by this we mean the Office of President.

- **BRANCH/L.A. SERVICE MEDAL** - This Medal is awarded to members of the Branch and of Ladies' Auxiliaries to the Branch to recognize the significant work accomplished by their many members, outside of, or prior to the acceptance to leadership positions. The qualification for the awarding of the Service Medal is to be a significant level of service provided by the member to their Branch or L.A. Although this Medal is intended to be awarded to members who have not been members of the Branch or L.A. Executive, it may also be awarded in addition to any Awards/Medals previously received by the member for exemplary service over and above any responsibilities required for any offices held. Recipients of this Medal are also permitted to wear any earned Past Office Legion Bars on this Medal. This Medal is to be senior to all Commemorative Medals and junior to the Branch or L.A. Past Office Medal. The authorizing and approving authority is to be the Branch or L.A. Executive Committee and/or the General Membership

- **CERTIFICATES OF MERIT:** may be issued to members of The Royal Canadian Legion, the Ladies' Auxiliary, and Non-Voting Affiliates or to persons outside of the Legion in recognition of service rendered to or on behalf of the Legion. The Certificate of Merit should be used to recognize contributions made by members in the intervening years before they would be eligible for consideration for a Life Membership or the Meritorious Service Medal.

- **CERTIFICATE OF APPRECIATION** - may be awarded for deserving service by a member, or for a person, a service organization or other organization outside of the Legion, for which a Certificate of Merit or Friendship Award respectively, is not considered appropriate. The certificate shall be secondary in standing to the Certificate of Merit.

- **LEGIONNAIRE OF THE YEAR** - The Legionnaire of the Year Award is another award available to recognize the hard work of many volunteers within our Branches. Legion Branches have dedicated members who volunteer countless hours each year towards their success. Branches

are encouraged to choose one of their members each year from amongst these valued volunteers to recognize them as 'Legionnaire of the Year.' The criteria for this award is left to the discretion of each individual Branch. A high quality plaque for such an occasion is available through the National Headquarters Supply Department.

- **GOLDEN ANNIVERSARY – (50 Years Service) Medal** The 50-Year Medal is available to members who have completed fifty years of membership in The Royal Canadian Legion. It may be awarded on the recommendation of the member's Branch and is ordered through the National Headquarters Supply Department. Ribbon bars in five-year intervals are available for membership exceeding 50 years.

- **FRIENDSHIP AWARD:** Dominion/Ontario Command requests the complete address of the recipient be included on the application. One (1) copy of the application is required to Provincial Headquarters. (2 month's notice) may be made at Dominion, Provincial or Branch level to an organization outside of the Legion, to a member of the American Legion or of another Veteran's Organization, or to a member of a Service Organization, who has rendered more than ordinary assistance or service to the Legion, or has co-operated to an unusually high degree with the Legion, etc. The approval of this award rests with the Provincial Honours and Awards Committee. It is to be noted that the award is not available to Legion Members.

- **MEDIA AWARDS** - are not available to an individual, i.e., if a newspaper is the intended recipient of the award, the name of the newspaper and that of the individual who is responsible for the media coverage will have their names imprinted in same. The approval of this award rests with the Provincial Honours and Awards Committee.

- **CADET/JUNIOR CANADIAN RANGER MEDAL OF EXCELLENCE:** All applications require a recommendation letter from the Corps/Squadron C.O. (#800176) also indicating the type (Sea, Air, Army or Junior Canadian Ranger) for our records. For full information, visit the Provincial Website 'Youth Programs' under Remembrance tab.

The Provincial Honours and Awards Committee feels that if you follow the guidelines stated above, there shouldn't be any problem getting your applications approved. If you do run into difficulty, Provincial Headquarters staff (Honours & Awards Committee Co-Ordinator) is willing to provide the assistance needed.

## **LAPEL BADGES**

A member may wear only one Legion Lapel Badge on a Legion Blazer. All, Ordinary, Associate and Affiliate members are entitled to Legion Long Service Lapel Badges, in five-year increments, which are available through the National Headquarters Supply Department.

A Long Service Badge may be awarded at any time during the year the member is entitled to receive the award and it is up to the Branch to determine if these awards can be made at Branch expense.

## **OTHER AWARDS**

There are also Canadian Honours and Awards, Orders and Governor General Awards available to Legion members for their volunteer work with The Legion. Please refer to the Awards and Orders Sections of the Ritual, Awards and Protocol (RAP) manual as to the various awards available and eligibility requirements.

# **LEADERSHIP DEVELOPMENT**

## **PROVINCIAL LEADERSHIP DEVELOPMENT COMMITTEE**

The Provincial Leadership Development Committee shall consist of:

- A Chair as appointed by the Provincial President.
- One Leadership Development Chair from each District
- A Program Coordinator

### **TERMS OF REFERENCE:**

- Shall research and develop training material to be utilized by District, Zone and Branch Leadership Development Committees as applicable to coach, guide and train Legion Members in all matters concerning effective Legion Governance and execution of specified Legion Programs at all levels with particular emphasis on Branch Operations.
- Shall make recommendations to Ontario Command Administrative Committee on effective instructional mediums, subject matter, and costs.
- Shall consider and recommend action plans within Branches for change which may make their operations more effective.
- May provide resources and assistance to Districts through various training or learning – the venues for these presentations being determined by the District.
- Shall ensure that all information relevant to Branch operations, leadership training and development are forwarded to Provincial Headquarters and the levels of Legion in Ontario that require it.
- Shall identify training needs within the Legion structure in Ontario and make recommendations to the Ontario Command Administrative Committee
- Shall review the terms of reference for the Committee, at least every two years, to ensure they are timely, pertinent and do not require updating.

## **DISTRICT LEADERSHIP DEVELOPMENT COMMITTEE**

The District Leadership Chairs, with the assistance of the Provincial Leadership Chair will ensure that Zone Leadership Chairs are aware of the training opportunities and materials available.

### **TERMS OF REFERENCE**

- Shall meet with the Zone Leadership Chairs at least once each year to discuss, plan and identify the training needs of the Zones and if needed provide the resources available. Preferably meet as a group at a mutually agreeable time, or in conjunction with a District Convention – or if geographically difficult, meet electronically.
- May provide resources and assistance to the Zone Leadership Development programs through various training or learning avenues.

- Shall offer assistance to all District Standing Committee Chairs in their Leadership Development efforts with their Zone counterparts.
- Assists the District Branch Advisory Committee should training be identified as a solution to Branch Advisory Assistance.

### **ZONE LEADERSHIP DEVELOPMENT COMMITTEE**

The Zone Leadership Development Committee should include all Branch Leadership Development Chairs and may have two additional members.

#### **TERMS OF REFERENCE:**

- This Committee shall be responsible for recommending and/or organizing seminars, workshops and orientation programs on various subject matters connected with Legion activities within the Zone. Direction may be received from any level of Command.
- Assists any Zone Chair who has been requested to put on a training session by a higher level of Command.
- Prepares material that can be used at Branch seminars and promotes the adoption by Branches within the Zone, of a program of meaningful Legion oriented seminars or speakers for Branch meetings.
- In its planning role, will be responsible to consider and recommend a plan of action within the Branches and the Zone for any organizational changes which may make their activities more efficient or meaningful.

### **BRANCH LEADERSHIP DEVELOPMENT COMMITTEE**

#### **TERMS OF REFERENCE:**

- This Committee will function as the educational arm of the Branch to its members on all aspects of the Legion, Branch operations and activities as approved by the Executive.
- Organizes seminars and workshops for Branch Officers, members in general and new members in particular through the New Member Orientation program.
- Represents the Branch on the Zone Leadership Development Committee and will seek the assistance and advice of the Zone Chair when required and request participation when Branch seminars are contemplated.
- Ensure that all speakers at Branch seminars are well versed in their particular subject and are able to make a good presentation.



## MEMBERSHIP

Membership recruiting and retention is every Member's responsibility! It is important to the continuation of Legion programs and maintaining the political leverage the organization has developed as an advocate for Veterans and still serving members.

The duties related to membership (i.e. recruitment, renewals, administrative functions, etc.) cannot be performed by one person. It is recommended that the Branch Membership Chair establish a membership committee, and as Chair leads the committee to ensure all aspects of membership are covered.

### Membership Portal ( [www.legion.ca](http://www.legion.ca) )

- In 2016 Dominion Command's mandate was to introduce an efficient membership processing system to help Branches reduce paperwork, streamline processes, and allow Commands, Branches and members greater access to view and update their information on-line. Soon after, the membership processing website was launched! The website is available to all Commands, Branches, and members free of charge.
- Only internet connectivity is required to access the system. No special software installation is required.
- The website provides access to up-to-date Dominion Command membership records.
- Branches are able to view, sign up and renew local Branch members online.
- If Branches have supplied their Branch rate, their members can renew online with their credit card for their local Branch. For the members that pay online, Branches receive disbursement of their portion of fees on a regular basis.
- Commands and Branches have access to a variety of up-to-date reports on demand (Branch Register, Transmittal reports etc.).
- Branches using the system save processing time, postage costs, reduces paperwork and provides more accurate membership records. The system improves processing accuracy, reduces returned submissions, and accelerates turnaround time for receiving membership cards and subsequent stickers.
- The option for automatic annual credit card renewals is available for members.
- Questions can be directed to National Headquarter Membership Department at 1-855-330-3344 Fax 613 591-8462 or by e-mail - [memberhelpdesk@legion.ca](mailto:memberhelpdesk@legion.ca)

The primary reference sources for membership Chairs are the General By-laws of The Royal Canadian Legion (GBL) (specifically Article II), the Membership Manual, the Branch Processing Guide, the Form Processing Guide, and the Website Processing Guide. All are available on-line at [www.legion.ca](http://www.legion.ca) . The GBL are amended following Dominion Convention and after each Dominion Executive Committee meeting. It is imperative that a Branch Membership Chair maintain a current set of GBL. These are also available at Provincial Headquarters for a nominal fee to cover printing costs. The GBL as well as the Membership Manual is updated as necessary. It is important to ensure that you are referring to the most current version. Membership Chairs should review the manuals to be familiar with the content of all resources.

It is not the intention of this section to give detailed instructions to the Branch Membership Chair rather it is to give an overview of the Membership program. The Membership manual will give you these step-by-step instructions and some excellent ideas, suggestions and tips on how you can expand and promote the program in your Branch.

## **Membership Programs and Initiatives**

### **1. Non-Renewal Program – A Branch Responsibility**

When dues are not paid by January 31st, the member is no longer in good standing for any purpose. If per capita is not received by February 6th, the Legion Magazine cancels. National Headquarters sends out renewal reminder notices to those members who have not renewed for the current and immediately preceding year. The Branch should contact the member and encourage renewal. Sometimes members just need to know that their membership counts and a telephone contact or card showing that he/she is part of the Branch family can go a long way to restore faith in the importance of a Legion Membership.

### **2. Recruitment Program – Everybody's Responsibility**

Every member of the Legion is a potential recruiter of new members. It is important that they know what there is about our organization to promote. Ask yourself, are your members being kept up to date about the Branches' community involvement/donations, Legion programs (all programs, all levels), Conventions, etc.? Is this being promoted by way of bulletin boards, newsletters, websites, etc. so that not only members can see but guests as well? Do you promote your Branch at community events? Part III of the Membership manual is an excellent reference source for the membership committee looking at setting up recruitment goals for their branch.

### **3. Mentor Program**

The mentor program developed by the Provincial Leadership Development Committee has been adopted by the Provincial Membership Committee as a way to assimilate new members into the organization and to assist them to develop an understanding and appreciation for the objectives and the programs of The Royal Canadian Legion. It has been likened to a buddy system where a knowledgeable and seasoned member of the Branch undertakes to welcome and to share information with the new member in many areas.

### **4. Early Bird Award Program**

Early Bird awards are based on the per capita submissions received and processed by the National Headquarters for all types of membership. The cut off date is November 30th and the submissions must reach National Headquarters prior to December 15th. This program

is designed to encourage a vigorous renewal program at the Branch level. Payments for new members or reinstatements for the succeeding year are not included in the percentage total for Early Bird Awards, as they are not renewals. Ontario Command awards "Early Bird" Certificates to Branches with 65% or more renewals during the Early Bird period.

#### **5. Years of Service Awards**

Branches are encouraged to award long service lapel badges (or medals where applicable) to their members once they are entitled to wear them. This promotes a sense of ownership and pride of their continued membership in the Branch.

#### **6. Members' Benefits Package**

Convention mandated the establishment of a members' benefit package and Dominion Command has established several corporate partners. Check the Legion web site at [www.legion.ca](http://www.legion.ca) for a complete list of the participating partners. You will find this information in issues of the Legion Magazine.

#### **7. Material Available**

Websites – There is a wealth of information on Membership on the Legion website: [www.legion.ca](http://www.legion.ca) From the home page, click on membership and you have access to reference material, forms, and reports. The Ontario Command website [www.on.legion.ca](http://www.on.legion.ca) also contains a lot of information that is of interest to our members.

#### **8. Replacement Cards/Branch Membership Registers**

If a member requires a replacement membership card, they are available from the National Headquarters for a nominal fee. Branch membership registers are now available on-line and can be printed at will. These are living documents that change when updates to the data are completed.

#### **Additional Information:**

- The Affiliate Non-Voting category is reserved for members who are non-Canadian citizens/non-Commonwealth subjects of an allied nation.
- No Branch shall permit any type of membership other than, Ordinary, Life, Associate, Affiliate Voting and Affiliate Non-Voting. The Meritorious Life, a category prior to June 2000 is being eliminated by attrition.
- All categories of membership must be charged the same amount; however, Branches may have special rates based on age (i.e.: Seniors, early birds, etc.), providing the same rate is offered to all categories. A Branch may also set a special rate for Veterans.

- Credentials for Ordinary and Associate membership applicants must be thoroughly checked by the membership committee before recommending acceptance of the applications.
- Certificates of Medical Rejection/Certificates of Medical Examination/Notices of Call/Certificates of Registration/issued by the Departments of National Defence or Labour respectively during wartime, are not to be accepted as service in the Military. Certificates of this nature, denoting a Serial Number were issued for administration purposes only and are not to be construed as a Military Service Number.
- The widow of an Associate Member is ineligible to apply for Associate Membership, unless qualifying as a member in their own right.
- An applicant who has served in the Forces of an Ex-Commonwealth Country subsequent to that country receiving its independence or statehood is ineligible for Ordinary Membership.
- A member in arrears as of January 31st is not in good standing for any purpose, including participation in sports. Once the yearly membership dues have been paid, the member is 'in good standing', (GBL Section 1203.d).
- The GBL makes no provision whereby a Branch may refuse to accept a member's dues except for failure to pay dues, or expulsion from the Royal Canadian Legion under GBL Article III and/or Section 202 and 203. (C&L Ruling).
- Life, Ordinary, Associate and Affiliate-Voting members ordinarily have the right to attend meetings, to vote and to hold office and to play sports. They may also transfer to another Branch, subject to the approval of the Branch to which they wish to transfer.
- Affiliate Non-Voting members ordinarily have the right to attend meetings and participate in discussions, to play sports and to request a transfer to another Branch. They cannot participate in the voting process, including motions. They may not Chair a Committee but may participate as a member.

## ONTARIO CORRESPONDENT

The Ontario Correspondent is an important link between the Legion Branches and the Legion Magazine. The Command Correspondent receives, screens and assembles photos and submissions from Branches, Zones and Districts for submission to the Magazine. The name of the Ontario Correspondent appears in each issue of the magazine and includes the mailing address. You can also check with Provincial Headquarters for this information.

The Branch Correspondent is the first link in the chain that provides the Legion Magazine with news and photos that meet the guidelines set out in a booklet entitled 'Legion Magazine SNAPSHOTS' Guidelines for Submitting Photos and News'. The most current version of this booklet at the time of writing this manual is dated June 2018. A copy of this booklet can be obtained from <https://legionmagazine.com/en/contact-us/> or the Ontario Correspondent.

Branch Correspondents or others involved in the submission of material for the Legion Magazine should ensure they are working with the most current edition of this booklet, when assuming this position. It is essential to do your job properly and will lead to less frustration at all levels.

Branch Correspondents/ Public Relations Chairs must send their applicable material to the Ontario Correspondent and not to the Legion Magazine. Mailing improper items directly to the Legion Magazine will only result in delays as the material will be returned.

Digital photos must meet the technical requirements of the magazine and can be sent via email to the Ontario Correspondent.

Photos and news in the Legion Magazine's Snapshots section serve to inform, recognize, and record The Royal Canadian Legion's activities and accomplishments. Since the magazine's circulation is not confined to members, these reports also show the general public how the Legion serves our communities.

### **Preparation of submissions to the Ontario Correspondent**

1. Check the spelling of all names and ensure each person is identified by a given first name followed by the surname. Attempt to answer the five W's and one H of news gathering: Who, What, When, Why, Where and How.
2. Keep a copy of all printed material submitted, including the date it was sent and a record of the person it was sent to.
3. Information for a photo caption should be attached to the hard copy photo. Do not write on the back of photo with a ballpoint pen as this will damage the photo and will automatically cause the photo to be REJECTED. Avoid using tape on the photo surface. Paper clips are not recommended as they damage the surface of the photo. Fold the form in such a fashion as to enclose the photo ---DO NOT USE TAPE.

### **Items Sent Directly to Ottawa**

The following items should be sent directly to the magazine and do not need to be submitted through the Ontario Correspondent:

- Honours and Awards (e.g., Life Memberships-name & Branch only, Meritorious Service Medal (head shot photo), Palm Leaf (head shot photo)
- Last Post;
- Lost Trails;
- Requests;
- Special Events;
- Unit Reunions;
- Web sites of interest;
- Letters to the Editor;
- Memoirs and unsolicited manuscripts.

### **Choosing a Photo(s) should be:**

- Well focused
- Glossy photos from a photofinishing lab only to get magazine-quality reproduction;
- Cannot be photocopies, Polaroid photos, photos screened for another publication, laser prints or photos from a home scanner or printer.
- Digital photos in jpeg format and over 500 kb or larger can be sent to the Correspondent via email

### **Other considerations are:**

- The most effective photos contain fewer than 6 people positioned against a light coloured blank wall;
- A light background is particularly important for colour photos;

- The people in the photo should be engaged in some activity related to the event;
- If Legion dress is worn, attention should be paid to how it is worn, jacket buttoned with medals in the correct place and the beret worn with crest in position.

### **Electronic Submissions**

The Snapshots section accepts electronic photos submitted by email to the Command Correspondent. The Command Correspondent will determine whether the photo is eligible and whether all the necessary caption information is there. The correspondent will then pass the electronic file on to the Legion Magazine for publication. As with regular submission of glossy images from photofinishing labs, the magazine staff will edit the captions and lay out the photos for publication.

The magazine accepts Joint Photographic Experts group (.jpg) THIS IS THE SIMPLEST FORMAT TO EMAIL to the Ontario Correspondent

Regular, glossy prints that come from film cameras will continue to be accepted as well through the mail to the Command Correspondent.

### **Submissions by Zones, Districts and Provincial Commands**

These submissions are for the most part subject to the same rules and procedures as noted in this section with the following exceptions:

#### **Zones and Districts**

While sports competitions and their results, rallies, elections and/or installation of Officers and the internal business of these levels do not qualify as Snapshots, news and photos of presentation of bursaries and donations to community causes are welcome.

#### **Provincial Headquarters**

Photos and news from Legion sports competitions at the Provincial level are eligible, as is the launching of any new Command Charitable or service project. While Command election results are included in the magazine coverage of Provincial Conventions, Post-Convention changes to the Executive can be submitted as news.

#### **Complaints**

The Magazine Staff are always ready to explain its Branch news policy and will act as quickly as possible to rectify mistakes or to provide an explanation regarding rejection of a news item or photo. Complaints should be made in writing and directed to the Editor, with a copy of your letter to the Ontario Correspondent.

It is the policy of the Legion Magazine (Canvet) to discontinue the distribution of the Legion Magazine upon receipt of notice of the Last Post Form or a Member Data Change Form. If the widow(er) of a deceased ex-service person desires to have the Legion Magazine mailed to them for the duration of the calendar year the information is to be noted on the "Last Post Death Notice" form and forwarded to Legion Magazine, Ottawa, providing that the widow(er) is not a Legion member.

### **Letters to the Editor**

Letters from readers are welcome but space is limited. The magazine exercises the right to select and edit letters for length, clarity, accuracy and taste. Letters should include full name, address and daytime telephone number. They may be mailed to 86 Aird Place, Kanata, Ontario, K2L OA1 or faxed to 613-591-0146 or e-mailed to legionmagazine.com. Any letters sent will also be potentially used on the magazine's web site.

### **Public Service Columns**

**The Lost Trails** - helps to locate Veterans, former Military and Police personnel, and their families. It is essential to have enough service and personal information to clearly identify the individual or individuals sought. Space is limited and the request must be limited to maximum of 6 names.

**Requests** - helps to promote the preservation or presentation of various aspects of our Military history.

**Unit Reunions** – Supports efforts to maintain bonds of service. Encompasses Army, Navy, Air Force, RCMP and Cadets. Advance notice is imperative, and it is recommended that the information be submitted 6 months before the event.

**Special Events** – Announces major Legion Branch, Ladies Auxiliary, and Command anniversaries: 25th, 40th, 50th, 60th, 70th, 75th, 80th, 90th.

**Web Sites of Interest** – Is for organizations with a Military connection to submit their web sites for consideration.



# Roy Eaton Ontario Correspondent

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## What the Legion Magazine Publishes for Branches and Ladies Auxiliaries

1. Contributions to community organizations and campaigns, e.g. Red Cross, hospitals, the Cancer Society.
2. Support for Youth Programs, e.g. Minor Hockey, Cadets, Guides, Scouts.
3. Youth Education Programs, e.g. Bursaries, Scholarships, Public Speaking, Legion Literary and Poster Contests.
4. Housing projects.
5. Seniors programs.
6. Erection or refurbishing of cenotaphs and memorials.
7. Branch expansions, renovations, mortgage burnings or hall openings.
8. Support projects, e.g. purchase of special equipment for an individual.
9. Recognition of Branch or Ladies' Auxiliary achievements by the community, e.g. organization of the year awards.
10. Expansion of membership, through group photos only.
11. Special functions, e.g. parades, Canada Day celebrations.
12. News—not photos—of the presentation of wartime memorabilia to a Branch.
13. Names—not photos—of members receiving the Certificate of Merit.
14. Names—not photos—of recipients of the Cadet Medal of Excellence.
15. Members receiving the Minister of Veterans Affairs Commendation for their work with veterans through the Legion.
16. Events marking a branch's 40th, 50th, 60th, 70th, 75th or 80th Anniversary.

## Examples of what the magazine doesn't publish.

1. Any non-Legion function—even if it is held in a branch hall.
2. Fiction or poetry.
3. Advance notice of Branch or Ladies' Auxiliary activities, with the exception of those that qualify for the magazine's Special Events column.
4. Regimental or unit reunions. Space for advance notice of unit reunions is provided in the magazine's Unit Reunions column.
5. Branch or Ladies' Auxiliary meetings, elections, resolutions or installations of officers.
6. Photos that openly display alcoholic beverages, as we do not want to perpetuate an undesirable image.
7. Photos of Ladies' Auxiliary contributions—monetary or otherwise—to the branch. The information can appear in print.

8. Remembrance Day or Poppy Campaign events. The magazine will cover the National Remembrance Day Ceremony in Ottawa and one other place in Canada.
9. Dated photos of an event submitted so late it could only be published a year after it occurred.
10. Medals awarded by the Government of Canada or other governments to individuals, even if presented at a Legion Branch.
11. Internal Branch, Zone or District sports competitions.
12. Long lists of specific Branch donations; annual totals with examples of some important donations are preferred.
13. Members' anniversaries or birthdays, unless 100 years or older.
14. Claims of uniqueness or of a record-setting nature that are often questionable and/or difficult to verify.
15. Presentation of certificates of appreciation.
16. Group photos of honours and awards presentations. Head-and-shoulders photos of Meritorious Service Medal, Meritorious Service Award and Palm Leaf recipients will be published on the Honours and Awards page. The names of Life Membership recipients will appear in the same section.
17. Photos showing inter-branch visits, exchanges or presentations of Friendships Awards. The information can, however, appear in print.

### **Electronic Photo Submissions**

Colour JPEGs should be between 0.5 megabytes (MB) and 1 MB.

The most effective photos contain fewer than six people positioned, where possible, against a light-coloured blank wall.

The only materials that can bypass the command correspondent and go directly to the magazine are items for Honours and Awards, Last Post, Lost Trails, Requests, Special Events, Unit Reunions Special Events, Websites Of Interest, Letters to the Editor and unsolicited manuscripts and memoirs.

**Edited from: Photos and News Submission Guidelines - Legion Magazine**

## POPPY

The Provincial Poppy Committee is comprised of:

The Provincial Chair  
District Poppy Chairs (9)  
Program Coordinator

### TERMS OF REFERENCE:

1. To assist Branches with the organization of an annual Poppy Campaign and ensure that only products authorized by Dominion Command are used.
2. To recommend procedures to increase the distribution of Poppies and Wreaths.
3. To recommend policy with respect to Poppy Trust Funds in accordance with the General By-Laws of the Legion.
4. To ensure that each Poppy Trust Fund committee files an annual Branch Status Report Poppy Trust Fund form to the Provincial Headquarters by the established deadline date. This report is to be submitted through the Zone and District Poppy Chairs who will ensure that the reports are correct and then forwarded to the next level.
5. To ensure that each Branch files a Counter-Top Box and Poppy Collection Report for the current year to the Provincial Headquarters through the Zone and District Poppy Chair showing the amount of monies collected from the Counter Top Boxes and Poppy Collection placed in all LCBO, The Beer Store and Costco outlets under their jurisdiction as soon after November 11th as possible.
6. To ensure that all combined Poppy Trust Fund accounts and distribution of Poppy Funds which are held by Multiple-Branch Poppy Funds, must be reviewed by their respective Zone and District Poppy Chair prior to forwarding to the District Commander who will review and forward to Provincial Headquarters for processing.

### DISTRICT POPPY CHAIRS RESPONSIBILITIES:

**June:** Ensure that Zone Poppy Chairs have provided the name and address of Branch Poppy Chairs, and forward to Provincial Headquarters. The Provincial Poppy Committee meeting is normally held on the last Saturday in June.

**August:** Following release of the Poppy Kit (online in July), the District Poppy Chair should convene a seminar of their Zone Chairs to familiarize them with the current campaign, its aims and objectives and methods to obtain maximum wreath orders. Discuss the distribution of Lapel

Poppies, house to house canvassing, mail distribution, schools, industries, etc. Discuss authorized expenditures of Poppy Funds and review all reporting requirements.

**November:** Encourage Branch and Zone Chairs to make known any suggestions they may have to improve subsequent campaigns. Ensure that Zone Poppy Chairs have received and submitted the reports completed for the Liquor Control Board Ontario, The Beer Store, Costco and any others requested.

**January:** Review the completed Branch Poppy Report Forms forwarded from the Zone Poppy Chair and submit to Provincial Headquarters no later than January 31st of each year. Each Zone Poppy Chair is to thoroughly review the completed Branch Reports to ensure they balance and that the opening balance of the current year's report is consistent with the closing balance from the previous year's report.

### **ZONE POPPY COMMITTEE RESPONSIBILITIES:**

The Poppy Committee shall have a Chair appointed by the Zone Commander and a minimum of two additional members.

- To disseminate all information on Poppy and Poppy Kits received from higher levels of the Legion to each of the Branches in the Zone.
- To advise Branch Poppy Chairs on all Poppy matters and ensure that each Branch submits its Annual Poppy Reports on time.
- To assist the Zone Commander with reviewing the Branch Poppy Accounts and status report and all supporting documentation after 31 December of each Poppy fiscal year and no later than 31 January and to be submitted to Ontario Command on or before 31 January in the year in which the fiscal year ended along with a report noting any concerns found during the review.
- To attend District Poppy Seminars and provide the District Poppy Chair with all information that is requested from the Zone.
- To ensure that all Branch Poppy distribution boundaries are known to Branches and where areas of the Zone are not properly covered, negotiate with the closest Branches to ensure total coverage and if necessary, recommend boundary changes.

### **BRANCH POPPY COMMITTEE RESPONSIBILITIES:**

Before the start of the campaign the Branch **must** make available to the public a statement of income, expenses and contributions made for the previous year. This can be done through the local media by paid advertisement, public service announcements or on their locally advertised website.

**Reference Materials:** This material will supply all the information required to ensure that the Branch has a successful Poppy Campaign (before and after).

- The Poppy Manual
- The General Bylaws of The Royal Canadian Legion
- Ritual, Awards and Protocol Manual
- The Legion Officers Manual.
- [www.on.legion.ca](http://www.on.legion.ca) (Forms & Manuals)

## **DISBURSEMENT OF FUNDS RAISED**

The Poppy Manual provides an extensive list of items for which Poppy Funds may be disbursed and another extensive list of items for which Poppy Funds may not be used. It is imperative that Poppy Funds only be expended for approved uses. When in doubt, please clarify in writing through the Provincial Headquarters.

## **SPECIAL USE EXPENDITURES**

The Poppy Manual details all Special Use Expenditures that require the approval of Ontario Command. Ontario Command has developed a Special Use Form for these requests which must be completed and submitted to Provincial Headquarters for approval before the expenditure is made. See Forms & Manuals (Poppy Materials/Poppy Kit) [www.on.legion.ca](http://www.on.legion.ca) .

## **REMEMBRANCE DAY SERVICES**

For planning local Remembrance Day Services, follow the guidelines detailed in the Legion Ritual Awards and Protocol Manual. (RAP)

## **POPPY CAMPAIGN**

While planning your Branch Poppy distribution program (Poppy Campaign) the program can be tasked to the Branch Poppy and/or the Branch VSS Chair. The Branch should also enlist the assistance of the Youth Education and Public Relations Chair.

The Comrade tasked for overseeing this program should have the necessary people skills and organizational ability required to plan and execute the days of events with the respect and care needed - as with all programs involving the public, exceptional care should be taken to show the Legion in its best light and in the tradition of Remembrance.

- The Poppy Campaign begins on the last Friday in October and distribution of poppies continues until 11 November.
- Full details of planning a successful Poppy Campaign, managing financial contributions and reporting can be found in **The Poppy Manual** and must be followed.

- Each Poppy Trust Fund Committee must file an annual Branch Status Report with the Poppy Trust Fund Form found on [www.on.legion.ca](http://www.on.legion.ca) under Forms and Manuals, to the Provincial Headquarters by the established deadline date, submitted through the Zone and District Poppy Chairs who will ensure that the reports are correct, then forwarded to the next level.
- Each Branch must file a Counter-Top Box and Poppy Collection Report to the Provincial Headquarters through the Zone and District Poppy Chairs, showing the amount of monies collected from Poppy Collection Boxes in all LCBO and The Beer Store outlets under their jurisdiction, Costco and any other approved business store requested - as soon as possible after 11 November.
- Branch Poppy Trust Fund financial records must be reviewed and certified by the Financial Review Committee - report forms and other material can be found on [www.on.legion.ca](http://www.on.legion.ca) under Forms and Manuals (Poppy Materials/Poppy Kit).

## **POPPY KITS**

The Poppy Kit is uploaded by Provincial Headquarters to [www.on.legion.ca](http://www.on.legion.ca) (Forms and Manuals/Poppy Material/Poppy Kit) in July of each year and currently contains the following items:

- Poppy Campaign order form for the current year, showing items available and prices. Branches should complete this form and submit their complete order no later than September 15th.
- Poppy Promotional Catalogue showing pictures of most items available for the Poppy Campaign.
- Poppy and Wreath order form - Poppies and Wreaths are ordered using this form) and the order is sent to Ontario Command. **DO NOT SEND ORDERS TO DOMINION COMMAND.**
- Notices regarding the permission granted by the Liquor Control Board and The Beer Store to tag and place tag coin boxes in their stores and the dates for which permission has been granted.
- Notices reflecting authority to place coin boxes in other stores and the dates for which permission has been granted.

## **ORDERING BRANCH POPPY SUPPLIES:**

- All Poppy Campaign items are ordered from the Provincial Headquarters, 89 Industrial Parkway North, Aurora, Ontario, L4G 4C4 or by fax at: 905-841-9992.
- When Poppy shipments emanate from the Dominion Command supplier, freight is prepaid. When a Branch is specific about the means of transportation, the Branch shall be responsible for all shipping expenses incurred.
- Freight is prepaid and charged on the invoice for shipments emanating from the Command Office.
- Interest at the rate of 1% per annum is charged on the unpaid balance, applied against all outstanding Poppy Accounts, 30 days following the date of the statement commencing January 1st of the year following the campaign. Wreaths, Crosses, and poppies are HST exempt.
- Branches shall use only Poppy Campaign Materials supplied by Dominion Command or its authorized supplier. Branches must order these supplies through the Provincial Headquarters. **Do not send orders or payments directly to the National Headquarters.**

## **POPPY STICKER PROGRAM**

The Dominion Poppy and Remembrance Committee developed a Poppy sticker in response to the many requests asking for an alternative to the traditional pin Poppy.

Veterans residing in various facilities had been denied the opportunity to participate in the annual Remembrance period, unable to wear a traditional pin Poppy for safety reasons.

The food industry had expressed concerns regarding the use of traditional pin Poppies in the various kitchens, restaurants, cafes, and diners across Canada. Now many who work in the food industry are using the Poppy sticker as a means to participate in remembering Canada's lost war heroes.

The program has also been expanded to include primary schools.

## **JOINT CAMPAIGNS:**

- Where a Command, District, Zone, Branch or group of Branches conduct a Poppy Campaign as a group or jointly with any other organizations, that Command, District, Zone, Branch or group of Branches shall be responsible for all aspects of the campaign (Section 1101.a of the GBL).

- At least one voting member from each Branch participating in a joint campaign shall be appointed by each Branch to administer the Poppy Trust Fund. To ensure that Veterans' needs remain as confidential as possible, one of the Signing Officers of the Poppy Trust Fund account shall be an Officer or Past Officer of any of the participating Branches (Section 921 GBLO).
- When there are combined Poppy Trust Fund accounts and distribution of Poppy Funds which are held by multiple Branch Poppy Funds, reports must be reviewed by their respective Zone and District Poppy Chairs prior to forwarding to Provincial Headquarters for processing.

## **REGISTRATION OF POPPY**

Branches may register their Poppy Trust Fund through the Charities Division of the Canada Revenue Agency. When a Poppy Fund is registered as a charity by the Canada Revenue Agency, the Branch can issue tax deductible receipts for donations to the Poppy Fund. This only applies to the Poppy Fund. Tax deductible receipts may not be issued for general donations to the Legion, as the Legion is not a registered charity and is classified as a non-profit under the Income Tax Act.

Branches contemplating the registration of their Poppy Funds must complete and submit the application online through the Canada Revenue Agency – Charities Division website: <https://www.canada.ca/en/services/taxes/charities.html> accessible through “My Business Account”. General queries can be directed to: Phone: 1-800-267-2384

Where a Branch has registered its Poppy Trust Fund as a "Registered Charity" with the Canada Revenue Agency, it must be prepared to comply with all restrictions and reporting requirements which apply to registered charities, including the requirement to file an annual charity return – now available online.

Expenditures from Poppy Funds that are registered charities must also comply with Article XI of the General By-laws.

If a decision is made to deregister the Poppy Fund as a Registered Charity, the Branch Officers should consult with the Canada Revenue Agency – Charities Division to ensure that all guidelines are followed, and that the distribution of funds meets the legal requirements established by the agency.

### **AFTER THE CAMPAIGN:**

At the end of your Poppy Campaign, write thank you letters to all groups and organizations who participated and contributed to the Campaign and publicly thank everyone in the community as a whole for their generosity.

All volunteers are important to the Campaign, consider the use of Certificates of Appreciation or Merit.



## PROVINCIAL PROPERTY COMMITTEE

The Provincial Property Committee Chair is appointed by the Provincial President. The role of the Committee is to review and decide on all real property transactions exceeding \$25,000, as submitted by the Branches of Ontario Command, pursuant to the Legion Act 1990, including but not limited to the purchase, sale, renovating, and leasing of property. The Legion Act is Provincial Legislation.

Real property includes the land and all things permanently affixed including, though not limited, to any and all buildings, attachments, free standing structures, telecommunication towers, trees, monuments, etc.

The Committee also considers applications for Short Term Loans. Pursuant to the Act, Branches are required to obtain written consent from the Provincial Headquarters prior to transacting any business related to real property. The requirements of the branch are detailed in the Branch Construction/Renovation section of the Officer's Manual.

### Terms of Reference – Property Committee

The Provincial Property Committee will consist of a Chair, the Provincial President, 1<sup>st</sup> Vice-President, three Vice-Presidents and any other member, or members so designated by the Provincial President. The mandate of the committee is as follows:

- a) To establish and update, as necessary, the procedures for branches wishing to sell, purchase, renovate, lease or mortgage property;
- b) To review requests from Branches, wishing to sell, renovate, lease, borrow, mortgage property, etc. prior to **ANY COMMITMENTS MADE OR DOCUMENTS SIGNED BY A BRANCH**. The submission to Provincial Headquarters by mail or email must include the following:
  - copy of the Notice of Motion distributed to the membership in good standing pursuant to Provincial By-Laws, documentation to support Notice to membership, (ie proof of postage receipt, emails sent, copy of initialed hand delivery);
  - copy of the minutes from the General meeting that approved the motion to sell, lease, etc. the property;
  - copy of the financial statements of the branch for the past 2 years;
  - copy of current financials, to include profit and loss;
  - a business plan including precise information on how the loan, lease etc. will be repaid, specifying other sources of funding considered or applied for such as lottery funds, grants, etc.;
  - budget projections for the next fiscal year;
  - copy of all related pertinent documentation such as sale/lease agreement, mortgage document, etc. and

- name, address, telephone number, etc. of the branch lawyer providing legal advice, etc.
- c) To include an Ontario Command Property Consultant as recommended by the Provincial President for consideration and ratified by the Provincial Administrative Committee annually;
- d) To refer, where warranted, copies of the **UNSIGNED** proposed leases, sale agreements, contracts, etc. to the Ontario Command Property Consultant, for review and comments.
- e) To request assistance from the District Commander if required before proceeding further;
- f) To ensure compliance with the Legion Act 1990 and the Provincial By-Laws for the sale, leasing, mortgaging etc., of property.

## **PUBLIC RELATIONS COMMITTEE**

Public Relations is the active effort to provide Legion members, the public and the news media with accurate, timely information about Legion Policies, Programs and Activities in order to create and maintain support and understanding for those Policies, Programs and Activities. Done well, Public Relations helps create and maintain a positive image of The Royal Canadian Legion.

Public Relations Programs at any level of the Legion require a 2-pronged approach. One being internal communications to the members and Officers that they are aware of and understand the Legion's Programs, Activities and Policies. The second an external communications plan for the public and the media to better understand the work of the organization.

Public Relations Officers at all levels should endeavour to support and assist the other Standing Committees to develop material that will promote the Legion to the public. Our ability to attract new members is highly dependent on the effectiveness of our PR programs. The Royal Canadian Legion Public Relations Manual is a must-read for PRO's.

### **Terms of Reference for the Provincial PR Committee**

- The *Provincial Chair* shall be a member of the Provincial Executive Council and the Dominion Command Public Relations Committee. The Chair is responsible to the Provincial President and the Elected Officers of Ontario Command for an efficient and successful PR Committee.
- The *Provincial Committee*, under the umbrella of the PR Chair, shall consist of the following:
  - one District PR Chair from each District (9)
  - one Ladies Auxiliary representative
  - the Ontario Correspondent, Legion Magazine
  - Committee Secretary
- The Manuals and Materials for PR Information to the Committee are as follows:
  1. Legion Week - The Legion week circular and information, as updated each year.
  2. The Royal Canadian Legion Public Relations Manual (most current).
  3. The Ontario Command Legion Officers' Manual.
  4. PSA's on Remembrance can be found on the Dominion website: [www.legion.ca](http://www.legion.ca)
- Promotional items can be ordered from the National Headquarters Supply Department.
- The Public Relations Committee should strive to obtain maximum publicity for our Branches, Zones and Districts within Ontario Command. The Committee should make use of resource materials available outlining the programs and contributions made by the Legion and its membership to the community. The Provincial Media Kit and Fact Sheet are available electronically on the Ontario Command website for downloading and printing: [www.on.legion.ca](http://www.on.legion.ca)

- The members of the Committee must be open, honest and accessible in all dealings with the media. The Legion's long-term interests are best served by building and maintaining 'goodwill' in the community and above all 'communication'.

## **Marketing and Public Relations Resources - Dominion Command**

Several Public Relations resources are available to Legion members for their use through National Headquarters. Please take the following steps to obtain the Manuals and Files:

- [www.legion.ca](http://www.legion.ca)
- For Members and Branches
- Login
- Branch and Command Resources
- Marketing and Public Relations

### **Legion Brand, Legion Logo, Legion Fonts**

The Royal Canadian Legion's **Corporate Identity and Brand Standards Manual** will help a Branch create strong marketing materials and messaging that will reflect the Legion's values and mandate and support Branch goals.

### **Social Media**

Dominion Command developed Social Media Guidelines for Branch operations, to help Branches make the most of their social media efforts.

For more information on using social media to grow a Branch, please see a presentation delivered at the 2016 Dominion Convention on Social Media for Growth.

### **Public Relations Manual**

This Manual provides information a Public Relations Officer (PRO) needs to effectively participate in or lead PR efforts, from organizing events to dealing with the news media.

### **The Public Relations Training Booklet**

Provides an overview and recommended approaches to Public Relations, including tips on media relations, dealing with problems, emergencies, and crises, plus worksheets to assist with strategic PR planning. This is a great resource for all PRO's or anyone from the Legion that deals with media.

## **Public Relations Resources**

The following resources can be updated with your Branch/Command information.

- Legion Overview PowerPoint Presentation - English (French version available)

**The Legion Dispatch** can be found under:

- Branch and Command Resources
- All Branch Emails

This is a Dominion Command Newsletter delivering the latest news, announcements, and Branch management tips. Members that create an online profile will also have a copy emailed to them.

## **TERMS of REFERENCE**

### **Terms of Reference for District Public Relations**

The District Public Relations Officer shall be a member of the Provincial Public Relations Committee.

The District Public Relations Officer shall seek maximum promotion of their Zones and their Branches within their District. They should use resource materials available outlining the programs and contributions made by the Legion and its membership to the community. The Legion's interests are best served by building and maintaining good will with the community and above all 'COMMUNICATION'!

The District PRO has a number of tasks:

1. The District PRO is at the call of the District Commander to carry out tasks as assigned, most specifically as it relates to Public Relations activities. This includes attendance at District Meetings.
2. The District PRO shall be responsible to ensure that communication is established with all levels of Command in matters that fall within their jurisdiction and with all Zone PROs within their District.
3. The District PRO will create a District Public Relations Committee, comprised of their Zone PROs and Ladies' Auxiliary PRO representative(s) if available, with the District Commander as a member *ex officio*, or unofficial member. This Committee will meet at least once a year to discuss concerns and ideas within the District.
4. The District PRO shall receive information from the Provincial PRO and ensure its timely distribution to their Zone PROs. **If a Zone does not have a PRO, then forward the information to that Zone Commander.** Please Note: in the case of a Zone without a

designated PRO, it is the District PRO's responsibility to contact the Zone Commander to ensure there is a contact to which information may be sent.

5. If the District produces a Bulletin, then the District PRO (or another appointed individual) will assemble and publish a District Bulletin. Number of issues published within the year is as requested by their District Council. The District PRO will distribute this Bulletin to all members of District Council and all Zones within their District. Distribution should also include their Provincial President and Provincial PRO.
6. A suggestion is that the District PRO takes photographs at the District Conventions of the Parade, Wreath Laying and Special Presentations. These photos can be assembled in a District Scrapbook, for Bulletin and/or District Website and Facebook purposes (if the District has provisions for them). When other special District Events are held such as District Public Speaking, it is suggested that the District PRO arrange for the host Branch PRO to take photos and send to the District PRO for use in above noted purposes.
7. The District PRO shall attend the Annual Provincial Public Relations Committee Meeting and will submit their annual report to this Committee.

Revised April 2022

### **Terms of Reference for Zone Public Relations**

Zone Public Relations Officers shall be a member of the District Public Relations Committee.

This Public Relations Committee should strive by all proper means to be in a position to obtain maximum publicity for our Branches and Zones within their District. This is from resource material available to them through the programs and contributions made by the Legion and its membership to the community.

This Committee in all dealings with the media must be open, honest and available. The Legion's long-term interests will be best served by building and maintaining good will in the community and above all remember "COMMUNICATION"!

The Zone PRO has a number of tasks which is listed as follows:

1. The PRO is at the call of the Zone Commander to carry out any task they may be called upon to complete. These tasks should be in the areas of Public Relations.
2. If the Zone produces a Bulletin, then the PRO (or another individual) will assemble and publish a Zone Bulletin. Number of issues published within the year is as requested by their Zone Council. The Zone PRO will distribute this Bulletin to all members of Zone Council and all Branches within their Zone. Distribution should also include their District Commander and District PRO

3. The PRO will submit annual or semi-annual reports to the District PRO upon request.
4. The PRO will attend all Zone Council meetings and Zone Conventions unless excused by the Zone Commander. The Zone PRO will be prepared to take photographs of all presentations made at these functions (Please Note: **if unable to be present at an event, whenever possible arrange for an alternate to take photographs**). The Chair will also ensure photos are taken at Conventions of the Parade and certain social functions. These photos will be assembled in a Zone Scrapbook or Bulletin purposes (if the Zone has provisions for either).
5. The PRO will ensure adequate coverage of Press Releases received from higher authority and ensure they and all information is passed along to all Branch PRO's within the Zone. (The Zone PRO must have a rapport with the media outlet within their particular area and ensure that the Branch PRO have a similar media relationship.)
6. The PRO will communicate with the Zone Public Relations Chair regularly at least once a year to discuss concerns and ideas within the Zone. This Committee will consist of the Zone and Branch Public Relations Officers (Zone and Deputy Zone Commanders may be members of this Committee. Ladies Auxiliary PRO should also be invited to attend).
7. The PRO shall be responsible to ensure that communication is established with all levels of Command in matters that fall within their jurisdiction.
8. When information has been received from other levels of Ontario Command, it is the Zone PRO's duty to forward the information to **the PRO's of each Branch within the Zone. If a Branch does not have a PRO, then forward the information to the President.** Even though the Zone Commanders give the information to the Branch Presidents, this does not mean that the Branch PRO will receive it. Please Note: in the case of a Branch without a designated PRO, it is the Zone PRO's responsibility to contact the President to ensure there is a contact to which information may be sent.

Revised 2022

### **Terms of Reference for Branch Public Relations**

Chair: Shall be a member of the Branch Executive Committee.

#### **RESPONSIBILITIES:**

1. This Committee will be responsible to ensure that every opportunity is taken to publicize the activities of the Branch through whatever media is available (including Social Media), in order to enhance the image of the Branch and The Royal Canadian Legion within the

community and the surrounding area. The Public Relations Officer shall work with all Branch Committee Chairs in order to obtain such information.

2. It will be the contact point of any community enquiry.
3. It will ensure that a Branch Bulletin is published and distributed regularly to their members and that a Branch Scrapbook is maintained to preserve the history of the Branch. This only if the Branch publishes either or both projects. (Note: Appointment of Editors at the discretion of the Branch President)
4. It will ensure that all significant activities of the Branch are communicated to the Legion Magazine, through the Ontario Correspondent. It will be the PRO's responsibility to know the rules and procedure for submitting material to the Ontario Correspondent and to know that individual's address (postal and email) and telephone number.
5. It will maintain a file on all Official manuals, pamphlets and information received from other levels of the Legion and will keep up to date with all activities of the Legion generally. The PRO will be the central source of information within the Branch on all aspects of the Legion.
6. The Chair will provide information to the Zone Public Relations Officer on request, including items for the Zone and/or District Publications.
7. The Chair will be expected to become acquainted with the Public Relations Officer at the Zone level; and will be expected to attend at least one meeting a year with the Zone Public Relations Officer. This meeting is at the discretion of the Zone PRO.
8. The Branch PRO (or another individual) may be appointed as Branch Military Service Recognition Book Coordinator to promote the program and accept Veteran's submissions to be forwarded to the appropriate Ontario Command MSRB Coordinator

Revised 2022

## **LEGION WEEK**

*Legion Week* is held in the third full week of September beginning with the Sunday. It is National in scope and the promotion of this program rests with the Public Relations Committees at all levels from Dominion to Branch. Legion Week provides the opportunity to let the public know about our tradition of service to our Veterans and the community. Provincial Headquarters provides photos of the Lieutenant Governor of Ontario, the Premier, the Dominion President, and the Provincial President along with their messages and a Legion Week Proclamation. These photos



and messages can be used in the local media to promote the activities and events planned for this week. An All-Branch Circular is issued to the Branches well in advance of *Legion Week* with an explanation of the purpose of this event and with suggestions for Branches to make the week a success.

## **BRANCH SURVEY**

The Provincial Public Relations Committee conducts a Branch Survey biennially to gather information from the Branches to produce a Fact Sheet that can be used at all levels to promote the many programs the Legion supports. It is the responsibility of the Public Relations Committee to encourage the Branches to participate in this task in order to promote the Legion with as accurate information as possible.

## **SPORTS**

The Sports Program is designed to allow members of Branches, large or small, the opportunity to participate in competitive sport, to demonstrate good sportsmanship, while creating goodwill and promoting the spirit of comradeship.

### **The Policy of the Sports Committee is:**

- To encourage friendly competition at Branch, Zone, and District levels leading to Provincial and Dominion Championships;
- To foster a complete recreational program in which all members and Branches may participate;
- To encourage each Branch to sponsor Minor Sports Programs within their respective community.

### **TERMS OF REFERENCE:**

- To organize a series of Inter-Branch Sports to progress to Zone, District, Provincial Play-offs and to set dates, locations and appoint Convenors for each event;
- To recommend amount of entry fees and assessments, where required;
- To recommend rules and regulations governing the operation of various Sports;
- To hold seminars, in co-operation with District Commanders, to protect our Sports Program.

### **COMPETITORS**

All levels of Legions Sports are open to ALL Members as defined in the General By-Laws of the Royal Canadian Legion.

Eligible Members must be in good standing and have their membership card for the year in which the championship is being held in their possession at the site of the championship. Further eligibility requirements can be found in the Provincial Sports Manual and the Dominion Sports Guide.

### **BRANCH SPORTS GUIDELINES**

Branch Sports are the sole responsibility of the Branch Sports Chair and his committee. The Sports Chair can be appointed or elected. In either case, he should be chosen with care, and someone

interested in sports, with an understanding of Legion autonomy and full knowledge of membership requirements for members to participate at all levels of Legion Sports.

A Branch Sports Chair should be able to organize and oversee a variety of sporting events within the Branch. Dates for sporting events should be chosen carefully to avoid conflict with other Branch events, or with Open Tournaments being hosted by Legion branches in the area.

An active Branch Sports Program should appeal to the general membership and not be limited to the sports played at various levels of the Legion. These could include but not be limited to games suitable to group play such as Dominoes, Bocce, console games, Bridge, versions of board games e.g. Trivia.

The Branch sports committee should plan fundraising events to assist with the cost of the sports program in the Branch.

- It is the responsibility of the Sports Chair to keep records of the Branch sporting activities e.g., who qualifies to go to a higher level of competition, etc.
- Keep accurate financial records, making sure your financial records are always available to the Branch President, Executive, and Financial Review Committee.
- Branch Sports Chairs assist Zone, District or Provincial Chairs with ALL sports held in your Branch.
- The Branch Sports Chair must ensure that representatives of their Branch are properly registered for Zone, District, Provincial and Dominion levels of sports, and registration is in on time.

### **COMPOSITE BRANCH TEAMS**

The Members of a Team shall belong to the same Branch and shall represent that Branch within their Parent Command. An exception to this criterion is as follows:

- Any Branch with 125 or less Members in any one Zone, or District where no Zones exist, and who cannot field their own team may pick up a maximum of two players from any other Branch within their Zone, or District, where no Zone exists with the intent of creating a team (for the smaller Branch) for the purpose of Legion competitive play.

### **ZONE SPORTS CHAIRS**

All Zones Sports events are under the responsibility of the Zone Sports Chairs.

1. To ensure that the participants are eligible according to the requirements as set forth by Ontario Command;

2. To ensure that ALL Branches that have qualified for Zone Sports receive a written notice (registration form) showing date, time, place, entry fee and final date for entries to be received.
3. Set dates for Sporting events in the Zone and notification of said dates to each Branch within that Zone. Dates must be set in conjunction with Branches hosting events, avoiding dates during the Poppy Campaign from last Friday in October to 11 November.
4. Assist the District or Provincial Sports Chairs at any sports events being held in their respective Zones;
5. Rules and regulations are different in various Zones; all Sports Chairs must adhere to those rules in their respective Zones;
6. Keep accurate financial records that can be checked by an authorized Chair (i.e.) Zone Commander or Deputy Zone Commander;
7. Submit a financial report after each Zone tournament, within 10 days to the Zone Commander;
8. Have financial records audited at the end of each fiscal year and provide a copy to the Zone Commander.

### **DISTRICT SPORTS CHAIR DUTIES AND RESPONSIBILITIES**

All District Sporting events are under the responsibility of the District Sports Chair or their Deputy.

1. Set the dates for all District events and send notices of the events to all Zones and Branch Chairs and Provincial.
2. Preside at all District Sports events.
3. Ensure all participants meet the membership requirements as per the Provincial Sport's Manual.
4. Attend all Provincial Sports meetings when required. Submit reports and notices three weeks prior to the meeting.
5. Convene any Provincial events held in their District.
6. Keep accurate financial records of each Sports Tournament and provide a copy to the District Commander within 10 days of the event.

7. District Sports Chairs are to complete an accurate financial statement. Make financial records available to the District Commander or their representative upon request and to present them at District Convention.
8. Submit District assessment payments to Provincial Headquarters prior to the Provincial tournaments.

## **PROVINCIAL AND DOMINION SPORTS LEVELS**

### **TEAM COMPOSITION**

Each Command is invited to send one team to a Dominion Championship. If desired, the doubles and singles players at the Cribbage and Darts Championship may be drawn from the team.

A Team shall consist of a minimum of four players to a maximum of five players with the fifth person being no expense to Dominion or Provincial Command;

- a) "EXTENUATING CIRCUMSTANCES" those that are beyond one's control, happening just prior to the Dominion Championships and certainly after the completion of the Provincial Command Championships. Playing in another tournament is not an extenuating circumstance.
- b) If the Provincial Command Sports Representative is in attendance and is capable of participating in the Sport, they will be permitted to play as a substitute; or
- c) If a Provincial Command Sports Representative is not present or capable of participating, the host will provide the substitute as provided for in the Regulations and Technical rules of each sport.

### **ENTRY FEES**

Competitors are not required to pay an entry fee at a Dominion Sports Championship.

### **DOMINION CRIBBAGE**

A four-person team shall represent Ontario in the Dominion Cribbage Tournament and the singles and doubles entries shall be selected from the team.

## **ELIGIBILITY TO COMPETE IN PROVINCIAL COMMAND SPORTS EVENTS**

### **COMPETITORS**

1. All Members, as defined in the GBLs (which provides that members shall be allowed to participate in sporting activities, providing dues are paid by January 31<sup>st</sup>) shall have the right to compete in our Provincial Sports Program, subject to any eligibility rules listed

herein and to any Branch By-law or House rule that does not contravene any By-Law or Regulation of a higher level of Command.

2. Members must have their dues paid and be in possession of their Membership card or a receipt covering it for the year in which the event is held. (e.g., if a Dominion or Provincial tournament is held in 2024 and the qualifying round at Zone or District level is held in 2023, a 2023 membership card will suffice).
3. Teams, Doubles or Singles competing in Provincial Sports must produce an entry form signed by the Branch President and Membership Chair, certifying that all participants are Members in good standing. Competing Members must produce their current Membership card or receipt, upon request.
4. New Members (defined as Ordinary, Associate and Affiliate) in good standing are eligible to participate at all levels of competition immediately.
5. Reinstated Members are eligible to participate in Legion Members Sports immediately, provided they are members in good standing.
6. Members who have or are in the process of transferring to another Branch are ineligible to compete in our Provincial Sports Program, until they are Members of their new Branch as of January 31<sup>st</sup> of the year preceding the championship. Unless they qualify under the Transfer Rules as written/stated in the Provincial Sports Manual.
7. Deprivation of clubhouse privileges means that for the time specified, except to attend General Meetings of the Branch, the Member may not enter any Branch premises nor participate in Branch Sports or social events.
8. Any Branch and player, upon examination of evidence presented, who is discovered to be using an ineligible player(s) in any Legion Sport shall be suspended from participating in that particular Sport for the current year and the following year in which the infraction occurred. The Branch in question shall be informed of the decision within seven (7) days. (An Administrative Committee decision).
9. Spares are not authorized to participate in Provincial Tournaments at any Level. Where it is deemed necessary to provide a substitute, the Convenor or Host Branch will furnish it.
10. A Dress Code has been established for Sports events at all levels up to and including Ontario Provincial Command at the discretion of the convening Sports Chair.

No open toe or exposed heel footwear.

No ripped or torn jeans/pants.

No profane language or offensive logos on clothing.

## **SENIORS**

For Senior Darts – all players must be Legion Seniors- members must be 55 years of age prior to January 1<sup>st</sup> of the year in which the Championship is held.

For Seniors Golf – group is subdivided as Seniors 55 – 69 years old and Super Seniors 70+ years of age.

Super Seniors must be 70+ years of age prior to 1<sup>st</sup> January of the year in which the Championship is being held. Super seniors will not be hosting any level of tournaments as they are part of the Seniors Division.

## ENTRIES

All Entries Must be on proper Legion Sports entry forms. All entries for sports must be made by cheque not cash.

All entries must be submitted through your Sports Chair to the next level e.g., Branch to Zone to District and be in the hands of the Provincial Convenor appointed for that specific sport, within the specified time limit of two (2) weeks prior to the date of the tournament.

### ALL ENTRIES MUST BE RECEIVED BY THE DEADLINE

When two teams from the same Branch compete in a play-off, neither team shall be permitted to strengthen the remaining team when one of the teams is eliminated.

In the event of more than one "bye" being given in different Sports, only one "bye" will be given to each District, Zone or Branch, whichever the case may be, and the teams from the same District, Zone or Branch will not be matched against each other in the first round of eliminations where possible.

The Host Branch may be allowed to enter a Team in Cribbage and Euchre events to make up an even draw should there be a last minute no show and that Team will be eligible for prizes ONLY. (Entry fee must be paid. -- Should this Team win tournament--second place (2<sup>nd</sup>) Team would HOST the following year if eligible, also represent the Province in a Dominion Tournament).

All cheques for Provincial Tournaments shall be made payable to the Host District Sports and sent to the Tournament Convenor.

**Any changes** to the entries must have a **NEW** registration form signifying the changes to be made and signed by the President or Membership Committee Chair.

Entry Fees will NOT be returned to a Branch when an entry becomes a "No Show" on the day of the tournament. If a Team reports to play after tournament has commenced this will be considered a "No Show", unless Convenor was notified prior to commencement of play.

If a player / team does not complete all their matches in Round Robin Play, all future games against that player or team shall become BYES and any completed games against the player/team wins or losses shall revert to BYES.

If any Team, Single, or Double withdraws from a tournament **after** starting it **or** does not show up **without just cause, and or** does not notify the Convenor, or District Sports Chair, the Convenor or District Sports Chair will forward a letter to the President of the Branch concerned, the player(s) shall be suspended from participating in this Sport for the current and following year.

## **CONVENOR RESPONSIBILITIES**

The Host Convenor for all Provincial Championships will be the District Sports Chair.

If the District Sports Chair cannot attend, they will make arrangements for the Deputy or replacement.

1. Ensuring that the host Branch has suitable facilities for the event, volunteers, and staff available to assist the Convenor throughout the day, and it is further requested that the Branch President or Vice-President be in attendance to welcome the participants.
2. It shall be the responsibility of the Host Convenor to forward to Provincial Headquarters, in time (**three weeks prior to**) for the Provincial Sports Meeting a copy of the circular to be made available to the members of the Provincial Sports Committee for circulation to the Branches of each Provincial Championship to be held in their area.
3. The host District Sports Chair will be required to convene the event, ensure that all participants are eligible to compete, register the players, purchase prizes and awards if necessary and to meet the needs or requirements (supplies) in order to conduct the tournament in question.
4. The Convenor will explain the rules governing the sport in question prior to commencement of play in order to clarify any possible misunderstanding or delays in the day's program.
5. The Convenor is to advise players at the beginning of the tournament to turn cell phones to vibrate, not to use iPods, headphones, etc. during play.
6. If it is deemed necessary by the Convenor a time limit may be placed on any or every game, either before or anytime during the tournament.
7. Where it is deemed necessary to have a Co-Chair in attendance at a Provincial Sports Tournament, the Zone Sports Chair shall act as same. (1987 Convention Mandate).
8. Complete an accurate financial statement (Finance Report Form) and record the results right after hosting the Provincial Tournament. It should be submitted within (15) fifteen days with the proceeds (cheque) from the tournament to Provincial Headquarters. Cheques are to be made payable to "Royal Canadian Legion Ontario Command".

## **HOSTING OF PROVINCIAL FINALS**

Where Regular and Senior events are held together, the Regular tournament winners will host in the ODD numbered year and the Senior in the EVEN numbered year.



The Branch winning the previous year shall host the Provincial finals in all Sports, IF THEY HAVE THE FACILITIES OR CAN ARRANGE THE FACILITIES WITHIN A REASONABLE DISTANCE AND BE IN COMPLETE CONTROL OF HOSTING THE EVENT. (Accommodations, size of playing area, equipment in playing areas such as Golf courses, and costs of it and time of availability are classified as facilities on a whole). Otherwise, the hosting will go to the next Branch in order of finish that is capable of being host to the event.

Hosting Format for Youth Darts is on a rotational basis – each District Sports Chair is to determine the Host Branch in their District.

The Host Branch or Provincial champions from the previous year do not have the privilege of defending its championship UNLESS it qualifies in the District play-offs.

When Branches have hosted Provincial tournaments for two (2) consecutive years, the Provincial Tournament must be moved to the next qualifying Branch. i.e., cannot be the same Branch. A format of what is required by host Branch will be given by the District Sports Chair to the Branch Sports Chair and the Branch President.

The host Branch, will supply a pacer team in Cribbage, Euchre, Golf, Horseshoes. Should there be a last minute “no show” this pacer team will take the entry of the “no show” and would be eligible for prizes ONLY. Should this team win the tournament, the second place (2<sup>nd</sup>) team would host the following year if eligible and represent the province in the Dominion tournament.

### **DISTRICT ASSESSMENTS FOR DOMINION SPORTS**

Where a District fails to submit District assessments in Cribbage, Darts and 8-Ball to the Provincial Sports Fund prior to the Provincial Tournament in question, the District entry shall be prohibited from participating in it.

### **PROTESTS**

All protests must be filed within 48 hours by telephone, and in writing, by fax or e-mail within 7 days of the incident, with the Provincial Sports Chair, District and Zone Sports Chair, whichever is applicable, the Convenor of the play-off and the defending team. The protesting team, along with protest must post a fee of \$50.00 made payable to Ontario Provincial Command; fee shall be refunded if the protest is successful. Result of protest will be determined by the combined decision of the above Sports Chairs.

Where a protest is against the Convenor at Zone, District or Provincial level, the protest shall be lodged with the Provincial Sports Chair. The relevant Senior Chair will determine the composition of the Protest Board.

## **PRIZES**

Provincial Command will provide prizes for 1<sup>st</sup> and 2<sup>nd</sup> place Regular, Senior, and Ladies depending on the number of entries in each category, with the exception of all two person teams for Provincial play-offs.

The Provincial Sports Committee will determine entry fees and assessments annually.

## **NOTE:**

No Provincial tournament shall be conducted on the long weekend of Easter or the weekend in August of Warrior's Day Parade, usually the third Saturday.

The Provincial Sports Program shall be self-supporting.

District Sports Chairs will file their District reports with Command office three weeks prior to the date of the Provincial Sports Meeting.

District Sports Chairs will not be reimbursed expenses for their attendance at a Sports banquet unless they are the guest speaker for the event in question and Provincial Command has approved the invitation.

Where possible SPORTS CHAIRS SHOULD NOT PARTICIPATE in any tournament of which they are convening. This safeguards arguments and any conflict of interest.

Good sportsmanship should be the prevailing attitude throughout all Sports events and tournaments.

## **PROVINCIAL SPORTS MEETING**

The annual Provincial Sports Committee Meeting shall be held at the discretion of the Provincial President.

## **MANUALS FOR THE SPORTS PROGRAM**

The following Manuals are available to assist Sports Chairs, etc., to understand the Legion Sports program at the Dominion and Provincial levels:

- a) Dominion Command Sports Guide – Is available for downloading and printing. It is on the Dominion website under Member and Branch section and then the Member Sports.
- b) The Ontario Command Sports Manual is available for downloading and printing from the Ontario Command Website at ([www.on.legion.ca](http://www.on.legion.ca)).

**Anything not addressed here, reference the most recent Ontario Command Sports Manual.**

## **TRACK AND FIELD**

### **Provincial Track & Field Committee**

The Track and Field committee shall consist of the following:

- Provincial President or Designate
- Provincial Track and Field Chair
- 9 District Track and Field Chairs
- Co-Chair Ladies' Auxiliary Chair
- AO Partner / Advisor
- Program Coordinator to the Track and Field Committee

The term of office for the Provincial, District, Zone and Branch Track and Field Chairs, shall commence on August 1<sup>st</sup>, following a Provincial Convention until July 31<sup>st</sup> of the next Provincial Convention year.

Track and Field Committee meetings shall consist of up to three (3) Teleconference calls, one in October, January and May and one meeting immediately following the Closing Ceremonies of the Provincial Track & Field championships in July.

### **Provincial Track & Field Meet**

Ontario Command will host one Provincial Track & Field Meet annually to be held on the 1<sup>st</sup> or 2<sup>nd</sup> weekend (Friday and Saturday) in July.

Ontario Command of The Royal Canadian Legion will have the sole authority as to who shall be eligible to compete in all competitions they organize.

The Provincial Track & Field Committee will be the final authority on eligibility for the Team Ontario.

An athlete who resides outside Ontario Command (not USA) and is attending school within Ontario Command jurisdiction may participate in the Ontario Legion Track & Field Program. The athlete may not participate in any other Command's Track & Field Program that year.

The age groups for athletes at the Provincial Meet will be as per Dominion Command guidelines:  
*U18* and under as of Dec. 31 in year of competition  
*U16* and under as of Dec. 31 in year of competition

A District will be chosen to host the meet. The District Chair will act as or appoint a Meet Director. A schedule of events for the meet will be presented and approved prior to the meet. Changes to the organization of the meet will be requested by the Meet Director at this time.

## **Eligibility Criteria**

- All athletes competing in the Provincial Meet must be residents of Ontario, except as previously noted;
- All athletes must have participated in their home District meet;
- Districts are allowed a maximum of 3 entries per event;
- Athletes can enter a maximum of 3 events;
- Athletes found competing in more than one District meet per year will be disqualified from the Provincial Meet.

## **Rules for Meet**

When entering the athletes into the Provincial meet, the District Chair is responsible to ensure that the entries are done correctly (i.e., seed performances, dates of birth, location of principal residence, etc., must be entered for all athletes).

The appropriate forms relating to liability releases, insurance, etc., as approved by the Track and Field Committee, must be completed by all athletes prior to competing. Athletes will not be allowed to compete without having met this requirement.

No substitutions or changes can be made after a date set by the Meet Director and approved by the Provincial Committee.

All entries must be submitted by the District Track and Field Chair. Entries are to be submitted to the Entry Chair, as designated by the Meet Director.

## **Awards**

Medals will be awarded to the first three finishers in each event. These are the only awards permitted.

## **ONTARIO COMMAND RESPONSIBILITIES**

Ontario Command will assume the costs for the items listed below (all other expenditures must be approved by Provincial Headquarters prior to the meet taking place, no exceptions):

### **On Track**

- All necessary track equipment required to conduct the meet. This would include track rental, photo timer, athlete's numbers (Bib Only), wind gauge, starting shells;
- Medals suitable for presentation to 1st, 2nd and 3rd place winners;

- Expenses of officials within reason. Local officials are to be used where possible and ONTARIO ATHLETICS (OA) rates will apply for all non-local officials. Provincial Headquarters approval is required for out-of-town officials, prior to the meet taking place (usually this should never exceed 20 officials). Any expense incurred by an official must have the approval of the host Meet Director and the Provincial Chair.
- Medical officials as predetermined by Ontario Command.

### Off Track

- The Committee Coordinator will ensure that there is liability insurance coverage for the meet and will provide the Meet Director a copy of the certificate for the host facility.
- A reception at the summer meet only for committee members at a cost of \$20.00 per person held on the Friday or Saturday evening, with the Meet Director/Host Chair. Chairs can bring their spouses/partners/deputies, at a cost of \$20.00 per person to be paid on the day to the local District, but final numbers of who is coming needs to be known at least a month before the Meet. (The cost per person is subject to change on the recommendation of the Provincial Track & Field committee)
- Any other expenses must be approved by the Provincial Headquarters prior to the meet taking place. *\*\*\*All contracts to be signed must have the prior approval of the Provincial Headquarters.*

## HOST DISTRICT RESPONSIBILITIES

### On Track

- A suitable eight (8) lane all weather track (summer);
- Have available all incidental equipment necessary to conduct the meet (Rakes, tape measures, wind gauge's, hurdles, starting blocks, etc.);
- First Aid assistance **must** be in attendance;
- Provide for recorders and clerical assistance, including photocopy capabilities.
- Provide copy of results of each event to allow for posting of results **within 20 min. of finishing of event;**
- Provide copy of final results only (no heats or preliminary results) of each event ASAP to Provincial Track & Field Chair and Program Coordinator of Track and Field Committee to allow for presentation of medals;
- At the end of meet, provide copies of complete results to all District Chairs and Provincial Committee Members;
- To provide Athlete sizing room for Team Ontario Track Suits;
- To provide Area for coordination of Medal Presentations;

- To provide tent, chairs and tables for the Provincial resale;
- To provide an area for VIPs to be in shade and watch events (in field if possible);
- To arrange for a meeting room at the hotel *or the local Branch* for the Provincial Committee Meeting;
- To provide lunches & refreshments for District Chaperones and Volunteers;
- Provide an enclosed area for Provincial Chaperones and Coaches to meet and register all potential Ontario Team members.

### **Off Track**

#### **Accommodations**

The ability to provide accommodations and meals for up to 450 athletes and coaches, who require an overnight stay, and possibly bus drivers.

The Host Committee will organize the following regarding accommodation:

#### **Meet Hotel (Guests and Officials)**

To provide enough rooms for the Provincial Track and Field Committee for the duration of the meet (double bed accommodation):

- Provincial President
- Provincial Ladies' Auxiliary President
- Program Coordinator of Track and Field Committee
- Provincial Track and Field Chair
- Nine District Track and Field Chairs
- to provide enough rooms for the Ontario Athletics officials invited to the meet.

#### **Local Legion Branch or Hotel**

- Provide a dinner for Committee Members on the Saturday evening of the summer meet. (See Ontario Responsibilities)
- Provide space to accommodate Track & Field Committee Meeting, time to be confirmed with the Secretary to the committee.

#### **District Athlete Accommodations**

- Provide a list of 7 or 8 hotels and motels to accommodate the 8 Districts coming to the meet, include block booking for approximate number of rooms needed;
- 26-27 rooms per District to cover the athletes, coaches, chaperones and bus driver;
- Total number  $8 \times 27 = 216$ ;
- Provide details for each hotel/motel, including price per room, number of people per room, food available at the hotel, other services available at the hotel/motel;

- State any deadlines for bookings;
- Advise each hotel/motel that the District Meets are at the latest two weeks prior to the Provincial Meet and notification of team lists from the Districts might be one week prior to the arrival of the teams;
- If the host District needs some rooms, book them as well.

### **Officials**

The Host District is responsible for obtaining officials necessary to conduct the meet.

- Senior officials, Ontario Athletics registered i.e. photo timing, referee's etc. may be brought in if necessary;
- Suggested maximum 20 officials- 2 per room, brought in from outside of District. Prior approval of Provincial Chair and Program Coordinator of Track and Field Committee is needed;
- Minor officials must be obtained locally.

### **Additional information for the Host District**

The Host District shall maintain complete accounting records and submit detailed statements for payment to Provincial Command. A cash advance may be available from Provincial Headquarters, as is deemed appropriate. Any surplus is to be returned. A table and tent should be made available for Membership and other Program Promotion at the meet.

### **General Rules**

Districts wishing to host the Provincial Meet are requested to submit an application two (2) years in advance.

All District Meets are to be completed no later than two (2) weeks prior to the Provincial Meet. District Meets must have insurance coverage. This may be obtained through Provincial Headquarters at least 8 weeks prior to the date of the meet. All expenses related to the District Meet are an expense to the District.

Each District must ensure that there is a minimum ratio of one Chaperone/Coach for every 10 athletes entered in the Provincial Meet.

District colours must be worn at the Provincial meet.

District 'A' – White with Red Trim  
 District 'C' – Royal Blue  
 District 'E' – Gold

District 'B' – White and Green with Black Trim  
 District 'D' – Maroon and White  
 District 'F' – Red

District 'G' – Yellow

District 'H' – Green

District 'K' – Grey with Maroon Trim

Misconduct of athletes at the Provincial Meet may leave them ineligible for selection to the Ontario Team. Any damages caused by inappropriate behaviour will be the responsibility of the District that the athlete is representing and the athlete.

Athletes are to be advised that proof of age may be required at both Provincial and National Championships.

### **Funding**

Provincial Headquarters covers: (Maximum 44 athletes and 4 Chaperones/Coaches)

1. A meal allowance of \$30.00 per person for the weekend.  
\$60.00 per person per night for room allowance.
2. If travelling requires three days, an additional meal allowance of \$20.00 is provided.
3. The cost of one bus, from the central point. To be pre-approved by Provincial Command. (Send in quote from the bus company)
4. Any changes to the funding are subject to the approval of the Provincial Executive Committee (PEC), upon the recommendation of the Provincial Track & Field Committee.

Travel allowances may be paid by Ontario Command from the designated central location in each District. Central locations are identified in the funding section.

One additional night where travel exceeds 665 km from the central point in each location will be paid by Ontario Command. **NOTE:** The distance of travel is that shown on an updated map of Ontario as issued by the Ministry of Transportation

Central Locations in each District is noted hereunder:

District 'A' - Windsor

District 'B' - Burlington

District 'C' - Harriston

District 'D' - Toronto

District 'E' - Orillia

District 'F' - Peterborough

District 'G' - Cornwall

District 'H' - Sault Ste. Marie

District 'K' - Cochrane

### **Athletes Subsidies**

Districts, Zones and Branches may choose to subsidize the above funding to send more athletes to the meet maximum entry per event. An athlete must not pay their own way.



If a Branch decides to subsidize an athlete directly by giving money to the athlete, such donations should be a maximum of \$20 to a Provincial Meet, and \$50 to the National Meet.

The pay-out of above funds is at the discretion of the District Chair.

### **Legion National Youth Track & Field Championships**

Funding is shared by Dominion Command and Provincial Command (70% – 30%) Dominion Command will only reimburse based on 40 athletes, 4 Chaperones and 4 coaches. The Provincial Chair may request additional funding from Provincial Command if it is determined that additional personnel are required.

Districts may put forward the names of persons recommended to be chaperones and coaches at the *National* meet. Criteria for these positions are available on request.

### **Selection Criteria for Ontario Team**

Team Ontario will consist of a maximum 40 athletes with a restriction of no more than 25 in a single age category. The following is the criteria in which the team is selected.

All 1<sup>st</sup> & 2<sup>nd</sup> places of events will become members of the selection pool. This pool normally has 46 athletes including reserves.

1. All athletes in the selection pool will have their Provincial Track Meet performances compared to the Legion *National* Results for the past 5 years. Athletes will be ranked based on this comparison. Top 46 athletes with the lowest score may be selected and notified.

Example: Jane Smith wins the 200m U16 in 25.78 sec.

Over the last 5 years this would have placed 2<sup>nd</sup>, 4<sup>th</sup>, 4<sup>th</sup>, 2<sup>nd</sup>, 1<sup>st</sup> = 2+4+4+2+1= 13 pts.

Paul brown wins the 1500m U17 in 4:02.15 min.

Over the last 5 years this would have placed 5<sup>th</sup>, 4<sup>th</sup>, 6<sup>th</sup>, 3<sup>rd</sup>, 3<sup>rd</sup> = 5+4+6+3+3= 21 pts. Therefore, Jane with the lower point total will be selected before Paul.

2. Athletes wishing to compete in Decathlon must indicate to the Provincial Track & Field Chair their intention to compete at Nationals before the Provincial Championship commence, through their District Chair prior to registration deadline. They must provide verifiable Pole Vault and Discus Results from the outdoor season to be considered.

Final team selection will be confirmed by the Provincial Track & Field Committee

**Note:** Updated 5-year comparison lists will be prepared and be available by the January Teleconference call.

Team Staff (Provincial Chair, Team Ontario Coach and Assistants) will review the results of the meet and the athlete's other performances when entering them into events at the *National* meet. Athletes may be entered into events other than those which they won at the Provincial meet.

### **Team Ontario Staff Manual**

The Team Ontario Staff Manual was developed by the Provincial Track & Field Committee to clarify the roles and responsibilities of the Team Ontario Staff accompanying the Ontario athletes to the *Legion National Youth Track & Field Championships*. The team includes the following members: Head of the delegation, Chaperones, and Coaches. A copy of the manual is provided to each member of the selected delegation once their appointment confirmed.

### **OFSAA Annual Provincial Track Meet**

The Provincial Chair with approval from the Provincial President and co-ordination with the National Track and Field Senior Program Manager will attend the annual OFSAA Track & Field meet. The Provincial Chair will represent and promote the Royal Canadian Legion Track & Field program at both Provincial and National levels.

A tent and signs will be provided by National Headquarters and can be supplemented by Provincial signage for the promotion.

### **Zone Track & Field Chairs**

#### **Duties:**

- Ensures that each Branch has an active Track & Field Chair and that he/she is completely aware of the duties - this can also be accomplished through Seminars.
- Ensures that all information is distributed to Branch Chair regarding District, Provincial and National Track & Field Programs and obtains reports from each Branch T&F Chairs as required.
- Promotes the sport of Track & Field within the Zone.
- If the Zone conducts a Track & Field meet, controls the issue/return of the Zone Track and Field singlets and maintains same.
- If required, assists in the selection of athletes for the District Team to the Provincial Meet based on results and performance at the District Meet.

- Gathers a list of volunteers from each Branch in the Zone to work on the District Meet

### **Branch Track & Field Chairs**

The Branch Track & Field Committee's responsibility is to promote the sport of Track & Field in the community and within the Branch. Supports the District Program in the best way possible.

#### **Duties:**

- Provides information to local Track & Field Clubs, High Schools and Elementary Schools and establishes contact with Coaches.
- Provide information to Branch Membership via newsletters, bulletin boards, emails and pamphlets as available.
- Consults with Branch PRO for promotion of events and information to the local media.
- Assists with the entry of any athlete who wishes to participate in the program through the Branch that is not associated with a Track & Field club or school program, example private schools or home study students.
- Ensures that all athletes meet entries and appropriate documentation are submitted by the deadline given and follow instructions regarding payment of entry fees. All athletes must be registered before bib numbers and singlets are issued. Keep copies of all entries for Branch records.
- Ensures that meet location, time and date information is provided to registered athletes and obtained approval from the Branch Executive on Branch Policy to provide extra money to the athletes directly, to cover transportation and food expenses.
- Obtains the meet results covering the athletes representing the Branch and distributes them to the clubs, schools, local media, and the Branch.
- Attend seminars, workshops, planning meetings etc. and submits reports to the Branch General Meeting and Zone Track & Field Chair as required.

If any problems are encountered while attending a Track & Field Meet, these should be reported to the Meet Director, Track Referee or Field Referee.

No prior knowledge is required for any volunteers from the Branch to assist with a District or Provincial Meet. Instructions and training will be given as needed and it is not difficult to learn.

## **VETERANS SERVICES/SENIORS COMMITTEE**

The 2003 Provincial Convention approved the amalgamation of the Veterans Services and Legion Seniors committees at the Command and District levels, with the addition to the committee of a Vice-Chair responsible for Seniors' issues. The Provincial Veterans Services/Seniors (VS/S) Committee includes the following: Chair of the VS/S Committee, Vice-Chair with responsibility for Seniors' issues, District VS/S Chairs, First Vice-President of Ontario Command. Shortly after the amalgamation of the two committees, the following working terms of reference were established and approved for the Provincial committee:

### **Working Terms of Reference for the Provincial Veterans Services/Seniors Committee**

#### **Veterans Services:**

- Shall examine the policies and programs of the Canadian Forces, the RCMP and the Department of Veterans Affairs and its associated agencies, the Veterans Review and Appeal Board to safeguard the interests of Veterans, still serving and recently released members of the Canadian Forces and the RCMP.
- Shall continue to monitor:
  - (a) the delivery of services and benefits to Veterans Affairs Canada pensioners and their dependents through Veterans Affairs Regional and District Offices and Legion Service Officers; and
  - (b) the reorganization and transfer of Veterans Affairs responsibilities, to protect the vital interests of the Veterans and dependents whom the Department serves.
- Shall recommend priorities to Provincial Executive Council to attain official objectives for the improvement of Veterans' Legislation as it pertains to the Province of Ontario.
- Shall provide guidance, information and assistance to Zone and Branch Veterans Services Chairs as necessitated.
- Shall liaise with the responsible Provincial Service Officer with respect to training and guidance on matters affecting Veterans and their well-being.
- Shall work in pressing for additional improvements to domiciliary and chronic care accommodation and home and community care services for older Veterans, especially the expansion of nursing home care for the Province of Ontario.
- Shall monitor the availability and disposition of all Veterans Affairs contract beds in the Province of Ontario and ensure equitable access for entitled veterans.

- Shall monitor the well-being of Veterans in community and contract long-term care facilities in the Province of Ontario to ensure a high standard of care.
- Shall ensure that long term care requirements of Veterans and/or dependents are met, with respect to sheltered housing, domiciliary care, and other housing requirements.
- Shall study and follow-up on any other concern affecting the welfare of all members of the Forces of Canada, the RCMP and their dependents in the Province of Ontario.

**Seniors:**

- Shall maintain up-to-date information on Senior resources through the Provincial website.
- Shall promote and carry out programs to which Legion Members can relate, that will enhance the quality of life and provide social and service amenities to our aging veterans and citizens.
- Shall foster Branch and community interests in Seniors.
- Shall encourage Branches, either independently or in cooperation with other voluntary organizations, to adopt and assist, if possible, programs to provide basic services that will enhance the quality of life for Seniors within the community.
- Shall promote the development of resources that will enhance the quality of life for all Seniors and the promotion of educational programs describing the opportunities for service to Seniors.
- Shall promote community projects and government programs directly related to housing, with priority access for Veterans and Seniors.
- Shall maintain currency in Seniors' issues through liaison with local, Provincial and Federal Governments and other National or International organizations involved in the promotion of care and other useful programs for Seniors.
- Shall liaise with other organizations interested in Seniors' issues to exchange information, promote Legion Seniors viewpoint, to explore potential areas of mutual support and to form partnerships.
- Shall monitor and examine Federal, Provincial and Municipal policies and programs impacting upon Seniors and follow up on concerns affecting the well-being of all aging citizens.
- Shall advise Provincial Executive Council of Seniors' policy issues which should be the subject of Legion advocacy or representation to the government.

- Shall apply relevant Veterans' program experience to selected Senior's issues such as housing, health care, income security.

## **VETERANS SERVICES PROGRAM – BRANCH AND ZONE LEVELS**

Although the Veterans Services Committee and the Seniors Committee were amalgamated at the Provincial and District level, the Chairs remain separate at the Branch and Zone level to ensure that those working closest to Veterans and Seniors have adequate resources to do justice to these important responsibilities to our Veterans and Seniors in the Community. In many Branches, due to lack of volunteers, the Veterans Services Chair may also be the Branch Service Officer. Regardless, these Chairs/Officers must ensure that those working closest to the Veterans and Seniors are afforded the resources to do just to ensure these important responsibilities to our Veterans and Seniors in their respective communities.

The following terms of reference have been developed for the Branch and Zone levels for the two programs:

### **Terms of Reference for Veterans Services Chairs**

#### **Branch**

The Veterans Services Chair shall be a member of the Branch Executive Committee. The Veterans Services Chair may also be the Branch Service Officer. The Veterans Services Officer/Branch service officer must be a member of the Poppy Committee. (Poppy Manual, Chapter 6, para 604.)

#### **Responsibilities:**

1. The Branch Veterans Services Committee, when established, Chair or Branch Service Officer shall familiarize themselves with all aspects of Veterans' Legislation. They shall ensure that all Veterans in the area are receiving the benefits to which they are entitled, particularly those that are housed in seniors' residences, homes, or hospitals and who may not be aware of their entitlements.
2. Will work closely with the Veterans Services/Branch Service Officer, the Hospital Visiting Chair, and the Legion Seniors Chair.
3. It shall attempt to maintain a record of the whereabouts of all Veterans within the area, including homes, residences, and hospitals.
4. It shall consider making recommendations to Zone Veterans Services Committee for improvements in Veterans' legislation and shall monitor the use of all priority access beds in Veterans' facilities in the area.
5. The Chair will be the Branch representative on the Zone Veterans Services Committee and shall provide reports to that committee when requested and to each Executive and General meetings of the Branch. A copy of the Branch Chair's reports to Zone will also be forwarded to the District Veterans Service/Seniors Committee Chair.

6. The Chair/Service officer will advise all Veterans in the community of any visits to the Branch by the Provincial Service Officer and will schedule appointments for those Veterans who desire and audience with the PSO. These notices may be by radio, TV, local papers Branch bulletins etc. Poppy Funds may be used for any costs for the notices.
7. Provide assistance to Veterans in the completion of all documentation necessary to make a claim for assistance and financial aid from Veterans Affairs Canada, National Defence and the Legion.
8. Be familiar with the Service Officers Handbook and the Poppy Manual.
9. All information collected is to be treated with the **utmost confidentiality**.

### **Zone**

The Zone Veterans Service Committee shall consist of the Zone Veterans Services Chair and all Branch Veterans Services Committee Chairs within the Zone. The Zone Veterans Services Chair is appointed by the Zone Commander.

### **Responsibilities:**

1. The Zone Veterans Services Committee will ensure that all Veterans (not just Legion members) and their dependents shall receive all benefits to which they are entitled by current legislation.
2. Special attention is to be paid to those that are residents of Veterans' hospitals, those who occupy priority access beds in community long term care facilities and those who are in nursing homes and other seniors' facilities.
3. The Committee shall seek out those who are living in sub-standard housing or accommodations that are too expensive for their income. This information is to be passed to the Veterans Services Chair, Ontario Command and/or Veterans Affairs Canada for action, where appropriate.
4. The committee shall monitor the activities of VAC and the care provided to long term care and chronic care residents in any facilities/residences where Veterans reside.
5. Provide assistance and guidance to Branch Veterans Service Chair and/or Branch Service Officers.
6. Contact will be maintained with VAC, District officials, the Provincial Service Officer and the Veterans Services/Seniors Chair, Ontario Command in order that problem areas may be identified and resolved.
7. Close contact must be maintained with the District and Zone Veterans Services Chairs, and the Zone Sick & Visiting Committee (if applicable) so that local issues receive immediate attention.
8. The Zone Chair's reports to the Zone Council and Zone Conventions shall also be forwarded to the District Veterans Services/Seniors Chair.

## SENIORS PROGRAM – BRANCH AND ZONE LEVELS

### Terms of Reference for Legion Seniors Program Chairs

#### Branch

The Branch Seniors Committee shall have a Chair and a minimum of two additional members. The Chair shall be appointed by the Branch President and/or the Branch Executive Committee and confirmed by the General Membership. The Chair will normally appoint committee members. The Chair shall be a member of the Branch Executive Committee.

#### Responsibilities:

1. The Branch Seniors Chair will be the Branch representative on the Zone Seniors Program Committee. He will report on Branch Seniors' activities to each Branch General Meeting and to the Zone Chair when requested to do so.
2. The Chair shall be aware of the services provided by the other "Chairs" in his Branch such as Poppy, Service Bureau, etc., and be prepared to make appropriate referrals to these "Chairs".
3. The Chair should be aware of all the community services available to Seniors in his community and know how to get in contact with these services.
4. The Committee shall be responsible to develop and maintain a program to aid, assist and/or support any activity which will benefit Seniors in the community. Services provided should be determined through an assessment of the needs for Seniors' services in the community and the availability of resources to provide needed services.
5. The Committee will develop a list of opportunities for Seniors in the community, whether the activities are Branch-sponsored or otherwise. It is the responsibility of the committee to understand that its mandate is to sponsor activities where the need exists and to the extent that funds and manpower are available, rather than to compete with or duplicate services already in place in the community. The committee should strive to assist and advise other seniors' organizations to fulfill the needs in the community.
6. Proposed programs and budgets shall be presented to and approved by the Branch Executive Committee and in turn, by a General Meeting of the Branch. Funding can come from any approved source, such as General Funds, Lottery funds (with approval from the licensing authority), etc. All activities in excess of the approved budget must receive similar approval before any commitment is made.
7. The Committee will note that whereas Legion Seniors Clubs benefit Seniors who are Legion members, it is the intent of the Legion Seniors Program to be to the benefit of **all seniors**, including those who happen to qualify for Legion membership.



## **Zone**

The Zone Seniors Chair shall be a member of the Zone Council. The Zone Seniors Committee shall consist of the Zone Legion Seniors Chair and all Branch Seniors Chair. The Zone Seniors Chair is appointed by the Zone Commander.

### **Responsibilities:**

1. The Zone Legion Seniors Chair should be familiar with information and programs that serve to enhance the lives of Seniors in your community.
2. The Chair should hold meetings annually with Branch Seniors Chairs to discuss their duties and responsibilities and to explain the aims and objectives of the Legion Seniors Program.
3. The Chair assists Branch Chairs to institute and operate programs in the Branches and community, clarifying the Legion Seniors role.
4. The Chair attends various functions as requested by the branches within the Zone. The Chair should continue to impress upon the Branch Seniors Chair the importance of ensuring there is a viable Seniors program in operation in their respective branches, stressing that our Seniors program is not designed to compete or interfere but to enhance and assist any programs for Seniors that are currently operating in their communities.
5. The Zone Seniors Chair should establish personal contact with the Branch Seniors' Chairs and express a willingness to assist them in their efforts. The Chair should follow-up on any Branch requests and work closely with the Zone Commander.
6. The Chair shall attend and submit a report to Zone meetings of activities in the Zone and be prepared to give a brief presentation on the Seniors' program in general.
7. The Chair should report regularly to the District VS/S Chair the progress of programs being conducted through the Zone and contact the District Chair if a problem should arise that cannot be handled by local action.

## YOUTH EDUCATION

These Terms of Reference for the Branch Youth Education Chair, as developed by the Provincial Youth Education Committee, are noted below:

### **Terms of Reference – Branch Youth Education Chair**

Congratulations on being appointed to the position of Youth Education Chair. This is a very exciting position to hold, as you will meet many interesting people and will find that working with youth is very rewarding in its own right.

A complaint that is often heard when someone is asked to Chair the Youth Education program is that they do not know how to organize contests, or when to do certain things or where to find certain items which will help them run the program smoothly. The following is a guide to assist Chairs to do their duties:

### **JUNE**

Read the latest Legion Officers Manual produced by Provincial Command. If you do not have a copy, use the copy from your Branch and request that one be purchased for you as soon as possible for your future reference. This book is filled with valuable information, not only on Youth Education but other offices that can be of assistance to you such as Public Relations, etc. The Legion Officers Manual can also be viewed on the Ontario Command Website under Forms and Manuals.

After reading through the various sections on Youth Education, you should begin by preparing a budget for the upcoming Poster & Literary contest and present it to the membership at a Branch for approval. Once approved, you will be able to order supplies, (certificates, frames, etc.) in time for the contests. Only expenses for prize money and certificates for Poster and Literary competitions can come out of the Poppy Fund and any other expenses must come from the Nevada (BOT) or General Funds. **(Note: Any expenses from Nevada (BOT) Account must have the written approval of the licensing authority).**

Ask the previous Youth Education Chair for all information that they may have regarding judges or contact persons, i.e., written material they have on file and review this material. If you are beginning your first term and do not have the benefit or the assistance of a previous Youth Education Chair, then contact the Zone Youth Education Chair. They will be able to provide you with their knowledge and assist in establishing your program.

Be sure to ask and appoint other members to assist in your Branch program. They do not need to be a part of the full Committee, as their part in the program may be limited to a specific time and role, i.e.: the Branch Sergeant-At-Arms.

If there is more than one Legion Branch in your area, contact your Branch Poppy Chair to find

out your boundaries. Make a list of all schools within your jurisdiction. The past Youth Education Chair will also be able to tell you which schools to contact.

## **JULY**

The Youth Education kit is now available online. Provincial Headquarters Youth Education Coordinator will upload the kit documents online under Youth Programs; Branch Youth Education Kit during the month of July.

In August or September, the Branch receives from the Department of Veterans Affairs a kit containing additional resource material for your use.

## **AUGUST**

Contact the Public Relations Officer at your Branch to use all their resources to advertise the Poster/Literary competition. Contact your local cable company, radio station and newspapers, as well as local library to post notices about this competition. This will inform students who are home schooled that they are welcome to participate in our programs. Contact youth organizations such as Scouts, Guides, Cadets etc., and let them know that they are eligible to participate.

Check your inventory for certificates you will need for Poster, Literary and Public Speaking contests and order them from the Provincial Headquarters. Order these through your Branch Secretary, this will ensure that the Branch knows that it will be receiving a bill to pay for them. Decide how you are going to fill out the certificates, i.e., calligraphy, etc. If using calligraphy, find a person who can do it for you.

Write to the local Boards of Education asking for permission to promote the Youth Education competitions in the schools.

Participate in your District or Zone seminar/workshop. This will provide information to the novice Chair and update experienced Chairs to recent additions and changes.

## **SEPTEMBER**

School is open and this is the time to contact the principals and teachers of your schools. Give them a copy of the letter you sent to the Board of Education to let them know what has gone into their schools. Figure out how many youth education kits will be required for each school. Include a list of educational materials available through the Legion or Veterans Affairs such as books, videotapes, and audiotapes, etc. Inform them that a guest speaker, bugler, colour party, wreath, etc., are available if requested. Invite students and staff in writing, to attend the Remembrance services on November 11<sup>th</sup> and the previous Sunday if your Branch has a parade. Inform all schools that the statistics form in their kit should be filled out. This information is important for the promotion of the program and to see the impact the Legion is having with the youth of Ontario.

**Note:** Make sure the schools are using the current Command approved entry forms and have copies on hand to give them in case they are using an outdated form. Please refer to the Provincial website at [www.on.legion.ca](http://www.on.legion.ca) for current forms.

Additional complete kits are not available from Command. The Branches are asked to make copies of the entry forms and program circulars (Poster/Literary, Public Speaking & Video circulars) which are found in the digital kit. The other materials inside the kit can be ordered from the Provincial Headquarters using the Promotional Campaign Material Order Form.

## **OCTOBER**

Set up a room for the judging of the Poster and the Literary contests. Have score sheets, pencils, notepaper, and any other items needed ready and on hand.

Arrange for judges for the Poster/Literary contests. Consider the guidelines for choosing judges under the “Judges” portion of this section.

With the Poppy Chair, prepare a list of speakers available to go to the schools.

## **NOVEMBER**

Collect all entries and hold the judging. **INSTRUCT THE JUDGES NOT TO MARK ON THE ENTRIES AND TO USE NOTEPAPER, IF NECESSARY.**

Code the back of each entry and the back of each entry form, to identify the work and to make sure that the work is returned to its owners when it has reached the end of its judging.

**Example of a code: 1/D.3/PI/C-1**

**Explanation of the code: Branch # is “1”/ District & Zone # is “D.3”/ “PI” is Poster Contest Black and White/ C-1 is Category 1 for Primary**

<b>Levels:</b>	<b>Categories:</b>
<b>PI (Poster Black &amp; White)</b>	<b>Cat. 1, 2, 3 or 4</b>
<b>PII (Poster Colour)</b>	<b>Cat. 1, 2, 3 or 4</b>
<b>E (Essay)</b>	<b>Cat. 2, 3 or 4</b>
<b>P (Poem)</b>	<b>Cat. 2, 3 or 4</b>

The entry form including the above coding, must be filled out and completed before sending on to the next level.

With the Branch Public Relations Officer and Honours and Awards Chair, arrange the presentation of awards to the students either at their schools, a special event, or at the General Meeting of the Branch or Zone. Arrange for the local newspaper to be present. The Branch President should do the presentations. Prepare a list of winners to be sent to schools that participated and for

publication in the Branch bulletin as well as the local media. **Forward the first-place winners only on to your Zone Youth Education Chair.** Send statistics report, including the number of entries from all the schools that participated, to your Zone Chair.

## **DECEMBER**

Present awards to the Zone level winners, either at their schools or Branch or Zone meeting.

### **READ THE INSTRUCTIONS IN THE PUBLIC SPEAKING CONTEST SECTION.**

Arrange the time and location for the Branch Public Speaking competition. Check on the date for the Zone level competition before setting your date.

## **JANUARY**

Distribute the materials on the Public Speaking competition to the schools. Include information on the rules and regulations and the prize structure.

Arrange for judges at the Public Speaking competition. Anticipate that you will have French and English speakers and arrange for judges to be fluently bilingual.

Check your inventory and order prizes, certificates, etc. Present your budget to the Branch Executive and make a motion for approval at your General Membership Meeting. **Funds for the Public Speaking Contest can be taken from Nevada (BOT's) (provided the licensing authority approves this on your Branch license) or your General funds to run this program. Refer to the Officers Manual and see section on Lottery.**

**Note: Only Poster and Literary prizes can be taken out of Poppy Funds.**

Arrange for the Branch President or designate to open and close the meeting. Invite the Colour Party to add pomp and ceremony. Arrange for a registrar, 2 timekeepers and 2 scrutineers. Ask the Ladies' Auxiliary to prepare a light lunch. Follow up these arrangements a week before the competition.

## **FEBRUARY**

Obtain the list of winners from District level of the Poster and Literary competitions from the Zone Chair and make arrangements for presentations with the Zone Chair present. Ask your Public Relations Officer to help publish the results of the competition and to arrange for the local media to be at the presentation.

Hold the Branch Public Speaking competition in January or February, at least two weeks before the Zone competition.

Prior to the Public Speaking competition, explain to the scrutineers and judges the scoring process and various forms to be used. You may ask the judges to use a .5 (point 5) if at all possible when scoring.

At the competition, have all information in writing for the Zone level of competition to give to the students who will represent your Branch.

Forward the list of Branch winners immediately to the Zone Youth Education Chair retaining information on the second-place winner in case the first place cannot attend.

### **MARCH**

Attend the Zone competition with your students and support them along the way as much as you can. Be there also to assist the Zone Chair who may need you to be the scrutineer, timekeeper, or registrar, etc.

Attend the District Public Speaking competition for the same reason if you can.

Your Branch may reimburse you or the student, for out-of-pocket expenses to attend the Zone and District Competitions. Before you attend, check first to see if the Branch will offer reimbursement of expenses.

### **APRIL**

If possible, attend the Area level of competition with your students from your Branch who won at District level.

Awards for the District Poster and Literary competition may be presented to the Zone Youth Education Chair at the Spring District Convention. Arrange for presentation of these awards with the students as soon as possible following the District Convention.

### **MAY**

If possible, attend the Provincial Public Speaking competition to support your student. If you will not be continuing in the Branch Youth Education Chair for the following year, gather together any files or information which may be useful and pass them on to your successor.

**NOW RELAX - PULL UP A CHAIR - HAVE A CUP OF COFFEE.  
YOU HAVE EARNED IT!!!**

## LITERARY COMPOSITION & POSTER CONTEST

The main principle of the contest is to encourage students to remember, think and participate, prior to and during the annual Remembrance Day observances.

The contests are divided into the following categories –Primary, Junior, Intermediate, and Senior. The entry may be in the form of an essay, poem, or poster. Students in the Primary category may submit entries in the Poster contests only. The Literary and Poster contests are open to all students in the Canadian school system.

The subject matter shall be in accordance with the particulars noted in the pamphlets and posters that are available on request from the Provincial-Headquarters.

Students who have been out of the educational system for more than two consecutive years are ineligible to compete in the Poster and Literary Contests at any level.

### Poster Contests

**Contest I - Black & White Posters**

**Contest II - Colour Posters**

### Rules & Regulations:

Posters will be based on the subject of Remembrance. Contestants are challenged to exercise their initiative and create a poster on this theme.

1. Entries will be no larger than 22" x 28" (56cm x 71cm). Only entries done on Paper or Bristol Board will be accepted. Entries done on other materials such as canvas, photopaper, or photographs and three-dimensional submissions made of tinsel, cotton, wooden sticks, foam, or textiles for example, will not be accepted. Submissions that appear to be computer generated, rendered by AI or machine will not be accepted.
2. Contest I - Entries will be accepted in Black & White on black or white paper or Bristol Board only: pencil, charcoal and/or India ink.
3. Contest II - Entries will only be accepted in colour on paper or Bristol Board only.
4. When national symbols are used, Canadian symbols must be preeminent.
5. Entries will be judged on originality, expression of designated subject, drawing and illustration.

6. Signatures on Poster/Literary entries are no longer required. However, students will attach an official Registration Form showing their name, address, age, grade, name, signatures and address of school and local Legion Branch.
7. All entries are to be submitted to their local Branch of The Royal Canadian Legion.
8. Posters will be judged first at Branch: winners to Zone, to District and to Provincial level. Only First Place winners should be forwarded to each level. Entries should be submitted to the next level **FLAT, not rolled in a tube**. Provincial winners are submitted to Ottawa for judging at national level.
9. Students may enter both Black & White and Colour contests but may submit only one entry for each category.
10. Chairs are encouraged to code all posters in pencil on the back of the entry and registration form the following information: Branch #, District & Zone, Poster Contest I or Poster Contest II, Category 1,2,3,4. For example: 1/D.3/PII/C-1 (See explanation in “November” in the Job Description portion of this manual).

### **Literary (Essay and Poem) Contests**

#### **Rules and Regulations**

Students will submit an essay or poem based on the subject of Remembrance. Entries may be printed, handwritten, or typed.

1. This contest is open to all students in the Canadian school system.
2. Entries may be submitted in English or French.
3. Students will use only one side of an 8 ½” x 11” (22cm x 28cm) page.
4. Entries will be marked on the basis of originality of thought, expression, presentation, grammar, spelling and Canadian content. The copying or reproducing of previously published works in whole or in part, without either the written permission from the author/source or, without identifying the author/source in the work, will result in the work being automatically disqualified.
5. a. Each student will state clearly on the Registration Form their name, address, age, grade, name and address of school, and local Legion Branch so that it remains on the entry.  
  
b. Chairs are encouraged to code all entries in pencil on the back of the entry the following information: Branch #, District & Zone, Essay or Poem, Category 2/3/4. For example:



1/D.3/E/C-2 or 1/D.3/P/C-2. (See explanation in “November” in the Terms of Reference portion of this manual).

- Poems cannot have more than 32 lines (excluding title) and Essays cannot have more than the word count stipulated for each age group (excluding title). **It is the Chair’s responsibility to ensure that entries meet these guidelines before submitting them to the next level.**

<b>Category 2:</b>	<b><u>Essay (words)</u></b>	<b><u>Poem (lines)</u></b>
Junior Level (Grades 4, 5 & 6)	350	32
<b>Category 3:</b>		
Intermediate Level (Grades 7, 8 & 9)	500	32
<b>Category 4:</b>		
Senior Level (Grades 10, 11, & 12)	800	32

- Students may enter both the Essay and the Poem contests but may submit only one entry for each category.
- All entries are to be submitted to the local Branch of The Royal Canadian Legion.

### **Entries from home-schooled students or students in Alternate Programs**

Home-schooled students are eligible to enter the Poster and Literary Contests. Entries from students who are home-schooled or in alternate programs should be accepted based on the grade level of the student at the time the entry is submitted, rather than age. The word of the parent or educational facility should be accepted in determining the grade level of the student. Home schooled students are referred to the Branch closest to their homes.

### **Website Posting of Entries**

The publishing of winning Poster and Literary entries for the website are the sole responsibilities of the Youth Education Chair at the Branch, Zone, District and Provincial levels. Please note that only first name and initial of last name should be provided to protect the privacy of the student. The name of the school, Branch # and District may also be provided to properly identify the entry.

### **Deadline Dates:**

Schools interested in the program and willing to participate in the contest should be asked to select the best poem and essay in each classification and forward it to the local Branch which will determine the overall winners within their jurisdiction.

The winning entries shall be submitted as follows:

- Branch entries to Zone Chair by November 30<sup>th</sup>
- Zone entries to District Chair by December 30<sup>th</sup>
- District entries to the Provincial Chair no later than January 25<sup>th</sup>
- Provincial Chair to Dominion Command by February 15<sup>th</sup>

The contest Registration Form must be properly completed and attached to the entry so it will not be separated from the entry during shipping. All entries will be returned to the student, with the exception of the winning entries at Dominion level.

**Entries received after the deadline date as noted above or not within the guidelines will be returned to the Youth Education Chair's in question with no consideration being given to same.**

### **Judges**

It is suggested that judges be selected from the local school system and if possible, should be from a school that has not participated in the contest. If all schools participate, each school should be asked to provide a selection committee member. This would eliminate any suggestion of favouritism. Community, Military or Legion members with appropriate skills and background may also be considered. It is recommended that judges chosen to score Poems and Essays be from the educational system, as part of the scoring will require knowledge in the fields of spelling and the proper use of grammar.

### **Prizes**

It is imperative that schools and school boards, etc., be advised of the awards which are to be made available to the students at the Branch, Zone, District, Provincial and Dominion Command level in order to encourage their participation.

Awards to be in line with the level of competition.

### **Provincial Awards (Literary & Poster):**

<b>Category 1:</b>	<b>Primary level (posters only)</b>	<b>Grades 1, 2 &amp; 3</b>
1 <sup>st</sup> Prize		\$150.00 & Gold Medal
2 <sup>nd</sup> Prize		\$125.00 & Silver Medal
3 <sup>rd</sup> Prize		\$100.00 & Bronze Medal
<b>Category 2:</b>	<b>Junior level</b>	<b>Grades 4, 5 &amp; 6</b>
1st Prize		\$150.00 & Gold Medal
2nd Prize		\$125.00 & Silver Medal
3rd Prize		\$100.00 & Bronze Medal

<b>Category 3:</b>	<b>Intermediate level</b>	<b>Grades 7, 8 &amp; 9</b>
1st Prize		\$200.00 & Gold Medal
2nd Prize		\$150.00 & Silver Medal
3rd Prize		\$125.00 & Bronze Medal

<b>Category 4:</b>	<b>Senior level</b>	<b>Grades 10, 11 &amp; 12</b>
1st Prize		\$350.00 & Gold Medal
2nd Prize		\$200.00 & Silver Medal
3rd Prize		\$150.00 & Bronze Medal

**Dominion Command Awards:**

<b>Category 1:</b>	<b>Primary level (posters only)</b>	<b>Grades 1, 2 &amp; 3</b>
1st Prize		\$200.00
2nd Prize		\$150.00
3 <sup>rd</sup> Prize		\$100.00

<b>Category 2:</b>	<b>Junior level</b>	<b>Grades 4, 5 and 6</b>
1st Prize		\$250.00
2nd Prize		\$200.00
3 <sup>rd</sup> Prize		\$125.00

<b>Category 3:</b>	<b>Intermediate level</b>	<b>Grades 7, 8 and 9</b>
1st Prize		\$500.00
2nd Prize		\$250.00
3rd Prize		\$150.00

<b>Category 4:</b>	<b>Senior level</b>	<b>Grades 10, 11 &amp; 12</b>
1st Prize		\$1000.00
2nd Prize		\$500.00
3rd Prize		\$250.00

Monetary prizes at Branches should not be more than the Zone and District prizes.

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Members of the Provincial Youth Education Committee may be paid out-of-pocket expenses in order to attend a special function when presenting awards to the winners emanating from Dominion Command.

Awards at Branch level to Provincial winners are the responsibility of the Branch, Zone and/or District Youth Education Chairs. Literary and Poster Awards are to be mailed to the District Chair in question (area where student resides) for furtherance to the Zone/Branch Chair for presentation.

The winners of the Poem, Essay and Poster contests at the Dominion level each receive an individual plaque, a Branch plaque and a School plaque. Each of the Senior 1st Prizes at the Dominion level includes a trip for two to Ottawa. The presentation of plaques at the senior level shall be made in Ottawa.

Any gift or Honourarium given to the judges for their assistance, will be at the expense of the level at which the competition is being held.

Circulars will be mailed to the Branches in July to the attention of the Youth Education Chairs. Literary Composition and Poster Contest Broadsides and Pamphlets are available on request from the Provincial Headquarters to the Branches for distribution to the schools, in English or French.

Contact should be made with the local School Boards, School Principals, Parent Advisory Councils, and Student Councils if the program is to be a success.

The contest is conducted under the auspices of the Youth Education Committee.

## **PUBLIC SPEAKING CONTEST**

**Note: Students who have been out of the educational system for more than two years are ineligible to compete in the Provincial Public Speaking Competition at any level.**

**When choosing a location for your Public Speaking Competition, consider a location which is handicap accessible.**

The following is a brief outline for Branches to assist in organizing and conducting a contest at Branch level.

The Public Speaking Program is divided into five components:

Branch Youth Education Chair and Committee.

Communication with Public and Separate School Boards, Principals, Student Councils and Parent Advisory Committees.

The Contest Day;

Awards; and  
General Contest Activities.

### **Branch Youth Education Chair and Committee:**

The Chair and Committee have the responsibility for the following:

The Chair shall co-ordinate all activities leading up to the contest and allocate duties to the committee, as follows:

- Direct correspondence to School Boards, Principals, Parent Advisory Committees and Student Councils, informing them of the contest and the actual date.
- Appoint a Registration Chair for the contest date.
- One person to arrange for suitable prizes and certificates.
- Arrange for the proper newspaper and radio coverage of the event.
- Where possible, the contest should be hosted in a location which is wheelchair accessible to ensure that all participants and family can attend. If the Branch is not accessible some consideration should be given to holding the contest in the local Community Centre, etc.

- Arrange a light lunch for parents, contestants, and guests after the conclusion of the contest.
- Appoint the judges and timekeepers. It is recommended that the judges be selected from the school system. Community or Legion members with appropriate skills and background may also be considered.
- Where there is a French-speaking contestant in any category, the whole category shall be judged by fluently bilingual judges in that classification.

### **Communication with Public and Separate School Boards and Principals:**

A letter, prepared at the commencement of the school term, advising of the contest details, should be sent to Principals of all schools, with a copy to their respective School Boards. (Send a second notice to all High Schools in January due to semester system.) A suggestion as to its content is, as follows:

Announcing the contest and invite participants  
 Outlining the date and place of Public Speaking  
 Rules and Regulations  
 Awards and Prizes  
 Various levels of competition for the winners  
 Copy of Command Circular

Home-schooled students are eligible to enter the Public Speaking competition. Students who are home-schooled or in alternate programs should be accepted based on the grade level of the student at the time the entry is submitted, rather than age. The word of the parent or educational facility should be accepted in determining the grade level of the student. Home schooled students are referred to the Branch closest to their homes.

### **Contest Dates:**

The dates for the contests at Branch, Zone, and District level should be established by the respective Chairs in September of each year, with careful selection being given to ensure that the contests at the various levels are not held on holiday weekends, school recess, etc. The deadline date for the area contests will be at least two weeks prior to the Provincial Contest, which is held on the 1<sup>st</sup> Saturday in May.

### **Chair's Duties:**

After the registration of all categories, the Chair commences as follows:

Formal opening shall be by the Branch President or their representative.

Welcome to all in attendance (usually by the President or the Vice-President of the Branch).

Chair's personal welcome to all.

Start the contest with the Grades 1–3 first and each contestant is introduced as follows  
“And now, speaker No. 4”.

The reason for this is to keep each speaker anonymous in order to prevent any favouritism from schools, parents or judges.

A ten-minute break is the usual practice halfway through the contest.

The contest will then continue until its completion.

### **The Contest Day:**

Due to the difficulty in obtaining the names of the various contestants prior to the contest, correspondence should be sent to all principals informing them of the time of registration and the contest hour and the number of contestants to be accepted at Branch level.

On the day itself, the Registration Chair will arrange to register all students prior to the commencement of the contest.

The contestants are divided into four classes:

Primary	(Grades 1 – 3)
Junior	(Grades 4 – 6)
Intermediate	(Grades 7 – 9)
Senior	(Grades 10 – 12)

A Registration Form is available in your digital kit, one should be provided for each age group. The Registration Forms can be obtained from the Ontario website at [www.on.legion.ca/youth/programs/public-speaking](http://www.on.legion.ca/youth/programs/public-speaking).

Choice of order of speaking shall be by participants randomly picking numbers.

### **Speeches:**

Primary	(Grades 1 – 3)
Junior	(Grades 4 – 6)
Intermediate	(Grades 7 – 9)

Speeches shall not be less than three (3) minutes nor more than five (5) minutes.

A time penalty shall not be levied against the grades 1- 3 participants for a speech short of, or in excess of the time limit.

Senior (Grades 10 – 12)

Speeches shall not be less than five (5) minutes nor more than seven (7) minutes.

**Rules and Regulations:**

1. The speakers may select their own topics. All speeches are to be the original work of the speaker. **The topics chosen by the individual speakers do not necessarily reflect the views or opinions of the Royal Canadian Legion.** The speaker will credit authors and sources of material, if referring to another person's work. Speeches that repeat verbatim another person's original work will not be accepted.
2. Visual aids, props, notes, cue cards, lecterns, etc., may be used to support the speech, notwithstanding the fact that judges may add or subtract marks according to the manner in which they are used.
3. **Speakers are not allowed to use "Power Point or a Projector" as a method of presentation or as a tool during presentation.**
4. The assistance of persons other than the Chair or their appointee is not permitted at any level of the contest.
5. English and French speakers will compete within the same contest at all levels. Bilingual judges must be used when necessary. Speakers must compete in English or French and must continue to speak in their chosen language throughout all levels of the competition.
6. A speaker can compete at one Branch only. If the speaker did not win at the Branch which they competed at the first time, they are not allowed to compete again at another Branch, even though it is under the same Zone or District.
7. The speakers must progress through all levels of the competition: Branch, Zone, District, Area and Provincial, using the same speech. The speaker must compete at Branch level first, before moving on to Zone or District. There is no skipping of levels.
8. A penalty of 5% of the total marks received from each judge, shall be imposed to a speech that is either short or in excess of the time limit for that level, before the total scores are compiled. This penalty will be imposed by the Timekeeper and applied by the Scrutineer. No penalty will be levied for Grades 1 – 3.
9. A penalty of 5% of the total marks received from each judge shall be imposed to any contestant who freezes. A contestant who freezes may continue but all speaking time used will count. This penalty will be imposed by the Timekeeper and applied by the Scrutineer.
10. **No person, including press photographers, shall photograph, videotape, or use any**



**audio devices during the contest.**

11. A microphone may only be used by a “Special Need” student. This student will require a certificate from a medical practitioner. The Chair must be informed of the need before the competition begins.
12. The Provincial Public Speaking contest will be held on the first Saturday in May, of any given year.
13. Speakers may not identify themselves, except by first name, during the contest.
14. Speakers who are late for registration without “**just cause**” will be disqualified from the contest.
15. All wall clocks will be covered or removed during the contest.
16. All cell phones and any other electronic devices are to be turned off during the competition. Such devices cannot be used for any reason during the contest.
17. If you need to leave the room, please do so between speeches or at the break. Do not enter or leave the room during a speech.
18. Coaching of any kind from the audience will not be permitted.
19. Any violation of the above rules and regulations will result in a penalty being imposed by the Chair and may include disqualification from this or any future competitions.
20. Judges will break their own ties. Judges will render a decision on all speakers without consultation with other judges or any other person. The judges’ **decision is final**.
21. Standing Ovarions are not allowed at any level of the competition.
22. At each level of the competition the branch is to read the following disclaimer to the audience prior to the commencement of speeches: Subject matter of speeches may not be suitable for all audiences.

**Timekeepers:**

Two Timekeepers shall be appointed by the Chair and provided with stop watches to time the speeches. Timing shall commence as soon as the contestant speaks and will include the introduction and salutations.

The Timekeepers will fill out the timekeeper’s form which will be collected by the Runner and taken to the Scrutineers at the conclusion of each classification. The Timekeepers will advise the

Scrutineers as to whether or not the students kept within the specified time limit of their classification. A signal is not to be given to the contestants when the approved time is reached.

**Judging:**

There will be three to four judges at each level of competition. These judges shall be fluent in both French and English, if required and should come from a diverse cross section of the community. Judges may only participate at one level of competition each year.

Judges may rotate with only three (3) judges judging the speaker in each category. In this manner, everyone judges three categories and sits out one category.

Judges will render a final decision on all speakers without consultation with other judges or any other person and **their decision is final**. They may not discuss marks with anyone upon the completion of the contest.

Judges will break their own ties.

After the Judges have totaled their scores for each speaker in a division, they will sign the score sheets and give them to the Runner who will take them to the scrutineers.

The Youth Education Chair must brief or explain the scoring system to the Scrutineers.

The Scrutineers will verify each judge's tabulations, enter them on the score sheet and make any adjustments in case of time penalties or freezing.

The Scrutineers will total score each judge's results, total the "score" column and the high score would win.

**Awards:**

Each Branch shall provide its own prizes.

Certificates may be obtained from Provincial Command.

Prizes or Awards shall NOT be taken from Poppy Funds at any level of the public speaking competition.

**Zone & District Competitions:**

When the Zone/District Chairs have received the names of all winners from the previous level, it will be their responsibility to:

Determine a winner in each classification at Zone/District level.

Zones and Districts will be responsible for all costs associated with their respective competitions.

### **Area Competition:**

For the purpose of determining Provincial entries, the Province will be divided into four areas and rotated on an area basis, as follows:

- Districts “A” & “B”
- Districts “C” “D” & “E”
- Districts “F” & “G”
- Districts “H” & “K”

The Host District Chair to the Area Public Speaking Final shall notify the competing District(s) of the date, time and place of the area finals, not later than February 1<sup>st</sup> of each year in order to determine a winner in each classification at the area level. The Host Chair should include the competing District Chair/Chairs in the planning and hosting of an area event.

The Provincial Headquarters will purchase the plaques and provide a budget for the prizes for the winners and runners-up in the Area Contests. Expenses in excess of the budget supplied, will be borne by the host District.

Information outlining the details of the Provincial Public Speaking finals should be distributed by the Area Host Chair to the winners of the Area Contests. This information, provided by the Provincial Headquarters, will include an expense claim sheet for completion by the student and their parent for return to the Provincial Headquarters. Parents of students should be reminded that all rooms are booked through the Provincial Headquarters; hotels should not be contacted directly. Provincial Headquarters should be informed immediately if a student or parent has special needs or requires additions or changes to their accommodations.

Immediately upon conclusion of the area contest, the Area Host Chair shall advise the Provincial Headquarters of the winners in each classification and whether or not they intend to compete in the Provincial Finals. Indicate if a French speaking contestant(s) will be advancing from the Area Competition, this will assist in determining if bilingual judges are required at Provincial Competition.

### **Provincial Competition:**

The Provincial Finals of the Public Speaking Contest will be held on the first Saturday in May of each year and the area contests are to be completed at least two (2) weeks prior to the Provincial Finals.

The winning student and one parent in each Division from the four Areas will be offered an all-expense paid trip to the site of the Provincial Finals.

The District Host shall provide suitable gifts for presentation to the judges at the Provincial level. The District Host will be reimbursed by the Provincial Headquarters for this expense.

The selection of judges for the Provincial Public Speaking Finals shall be taken from the school system (Convention Mandate). This is the responsibility of the host chair.

**PRIZE STRUCTURE, PROVINCIAL LEVEL**

	<u>Grade</u>	<u>First Prize</u>	<u>Runner-up Awards</u>
<b>Primary</b>	Grades 1 - 3	\$200.00 (Gold Medal)	\$75.00 (Silver Medal)
<b>Junior</b>	Grades 4 - 6	\$300.00 (Gold Medal)	\$100.00 (Silver Medal)
<b>Intermediate</b>	Grades 7 – 9	\$500.00 (Gold Medal)	\$150.00 (Silver Medal)
<b>Senior</b>	Grades 10 – 12	\$1,000.00 (Gold Medal)	\$200.00 (Silver Medal)

**REQUIREMENTS FOR THE PROVINCIAL PUBLIC SPEAKING FINALS**

**District Chair (hosting the contest)**

The hotel rooms should be booked as soon as the host Legion or venue is determined. **If possible, this information should be available for the meeting of the Provincial Youth Education Committee in June.** A total of 30 rooms should be booked as follows:

- 16 double rooms for contestants and parents
- 9 rooms for the District Youth Education Chairs
- 1 room for the Vice-President/Provincial Youth Education Chair
- 1 room for the Provincial President
- 1 room for the Coordinator of the Youth Education Committee
- 1 room for the Provincial LA President
- 1 room for the Provincial Public Relation Officer

Additional rooms may also be required above the 30 rooms required. The Host Chair should also determine if the District or Zone Commander requires a room and try to accommodate any accessibility requests.

The Host Branch should be invited to serve a meal on the Friday night, if interested, and the Branch would set the cost. Once this information has been confirmed, the Host Chair will notify the Members of the Committee and the District and Zone Commanders (if attending), with the details of the dinner and confirm the number that will be attending. The Branch may wish to include the Branch President or members of the Executive of the Branch at the dinner but the costs relating to the attendance of the Branch members would be an expense of the Branch.

The Host Chair should, in co-operation with the Branch Youth Education Chair, arrange for four judges (bilingual if required), to be available at least one hour prior to the competition so that the rules and judging requirements can be explained to them.

The requirements for the Provincial Public Speaking Contest are as follows:

1. A table and two chairs for the Provincial Chair and the Runner.
2. Three tables and three chairs placed at regular intervals for the judges and one chair for the 4<sup>th</sup> judge.
3. A table and two chairs for use by the two Timekeepers.
4. A separate room with one table and three chairs for the three Scrutineers and a table and two chairs for the Coordinator.
5. An adequate Public Address System for use by Provincial Chair and guest speakers.
6. A lectern to be made available for use by the contestants.
7. Suggested seating arrangements for the audience should be theatre style.
8. A Colour Party shall be in attendance (with colours and stands) for the Opening and Closing of the contest.
9. A Sergeant-at-Arms should be available at the entrance to the auditorium throughout the contest in order that noise control is held to a minimum and to prevent persons from entering the hall while an individual speech is in progress. If there is more than one door to the room, the assistance of the Colour Party to watch these doors would be appreciated.
10. A complimentary light lunch should be made available (coffee, soft drinks, sandwiches, etc.) by the host branch for the contestants and guests in the auditorium at the completion of the contest, and before the Awards presentation.

### **Provincial Chair**

The Provincial Chair will supply all necessary equipment for the running of the competition i.e., forms, stopwatches, rules, and certificates.

### **District Chairs (not hosting the event)**

The District Chairs that host the Area contests should ensure that Provincial Headquarters receives the names of the students representing their Area at the Provincial Public Speaking Contest, with a copy to the Provincial Chair.

On the day of the contest, the District Chairs will provide assistance to the Provincial Chair in the following areas: Scrutineers, Timekeepers, Registration, Runners, and Coordinator Assistant.

**LOCATION OF FUTURE PROVINCIAL CONTESTS**

2024	-	District "D"
2025	-	District "G"
2026	-	District "H"
2027	-	District "A"
2028	-	District "C"
2029	-	District "F"
2030	-	District "K"

Youth Education Committee materials shall be made available online to the Branch Chairs and to the District Chairs for distribution to Zone Chairs as noted hereunder, not later than mid-July of each year.

- Public Speaking Circulars
- Literary & Poster Circulars
- Remembrance Video Competition Circulars
- Poppy Promotional Catalogue
- Youth Education Programs Booklet
- Poster/Literary Judging Guidelines
- Poster/Literary Entry Form

## REMEMBRANCE VIDEO CONTEST

The Remembrance Video Contest is now part of the Ontario Command Youth Education program and the Legion National Foundation in Ottawa. It is meant to foster an understanding of the sacrifices made on our behalf by the many men and women in World Wars I and II and the Korean War. To this day, many brave men and women put personal security at risk in the name of peace and humanity in places like Bosnia, Cyprus, Haiti, East Timor, Afghanistan, etc.

The entry must be in the form of a Video submission.

### When is the Contest Held?

The video contest is held every year. All submissions must be submitted through the [RemembranceContests.ca](http://RemembranceContests.ca) website by December 15<sup>th</sup> of the current year.

### Categories

The contest is divided into two categories:

**Category V1 (Individual Entry)**      Grades 7 – 9 and Grades 10 - 12

**Category V2 (Group Entry)**      Grades 7 – 9 and Grades 10 - 12

### What should my video contain?

Participants are challenged to exercise their creative storytelling skills to create a short video on the theme of Remembrance. Videos can be anything from a short film to an animation, as long as it demonstrates Canadian themes of Remembrance. All eligible video submissions must be a minimum of 30 seconds and a maximum of 2 minutes in length. Winning entries at Provincial level are then forwarded to the Legion National Foundation in Ottawa to be judged at the National level.

### How to Enter: Video Submissions

1. This contest is open to all students in the Canadian school system
2. Students who have been out of the educational system for more than two consecutive years are ineligible to compete in the video contest at any level.
3. Participants 17 years of age or younger must confirm parental permission during the online submission process.
4. All video entries must be submitted online at: [RemembranceContests.ca](http://RemembranceContests.ca)
  - (a) To submit your finished video, it must be uploaded to YouTube. Participants are required to provide the public, shareable link to their finished video during the online submission process.
  - (b) Videos made by a group should be uploaded and credited to a single group member responsible for submitting. All correspondence and prizes will be addressed only to the submitting group member. Additional credits can be included when completing the submission form.

## RULES & REGULATIONS

The following information outlines the rules and regulations for the Ontario Command Remembrance video competition:

1. All eligible video submissions must be a minimum of 30 seconds and a maximum of 2 minutes in length.
2. Videos may be either English or French or bilingual.
3. All submissions must be the participant's original work. Submissions that appear rendered by AI will not be accepted.
4. Externally sourced video footage, images, sound, or music must be properly licensed and/or royalty-free.
5. The copying or reproducing of previously published works in whole or in part, without either the written permission from the author/source, or without identifying the author/source in the work will result in the work being automatically disqualified.
6. The work should reflect Remembrance with a Canadian theme. If symbols are used, Canadian symbols shall be pre-eminent. Such national symbols are War Memorials, Canadian and Provincial flags, coats of arms & representative flowers, birds, or animals, as well as all forms of Canadian historical and current Military dress.
7. Students may enter both the Video 1 (V1) and Video 2 (V2) categories but may only submit one entry per contest. **The Group Entry must have every participating student's name and parental consents.**

## PROVINCIAL AWARDS

### Intermediate

#### Grades 7 – 9

First Prize	-	\$200.00
Second Prize	-	\$150.00
Third Prize	-	\$125.00

### Senior

#### Grades 10 – 12

First Prize	-	\$350.00
Second Prize	-	\$200.00
Third Prize	-	\$150.00

The completed Entry Form and sharable YouTube Link must be uploaded to the RemembranceContests.ca by **December 15 (current year)**. Group Entry Form must be completed by either the teacher or the leader of the group, showing consents of the students and their parents.



# PILGRIMAGE OF REMEMBRANCE - ONTARIO COMMAND POLICY

## What is the Pilgrimage of Remembrance?

The Royal Canadian Legion Pilgrimage of Remembrance began in 1936 with a visit to Vimy, France for the unveiling of the Canadian National Vimy Memorial. Since that time, promoting a pilgrimage has been a part of our efforts to encourage Remembrance. Pilgrimages are conducted every two years.

The pilgrimage entails emotional tours of Battlefields, Military Cemeteries, Museums, and Memorial services in France, Belgium and the Netherlands. ... They hold and witness ceremonies of Remembrance at the Cemeteries where so many young Canadians found their final resting place. For more information, visit [www.legion.ca](http://www.legion.ca) Remembrance.

Legion members, with the required credentials, may apply to their District Youth Education Chair to be recommended as a candidate for selection.

1. The deadline for receiving applications at the Command Office from the District Commanders is based on the final date stipulated by National Headquarters.
2. Provincial Headquarters will send out the 'call' with a covering memorandum to the District Commanders and members of the Youth Education Committee, noting the deadline date. The "call" will include an application form, criteria for selection of the candidate and other pertinent information.
3. The District Youth Education Chairs will solicit nominations for consideration by the District. Any mailings should clearly specify that nominations must be returned to the Youth Education Chair (rather than the Provincial Headquarters).
4. Any applications directed to the Provincial Headquarters in error will be forwarded to the appropriate District Youth Education Chair.
5. The District Youth Education Chair will forward the applications to the District Commander with recommendations pertaining to the selection of the District candidate.
6. The District Commander will forward the nomination and application of the District candidate to Provincial Headquarters by the date specified on the memorandum. **Each District may nominate only one candidate and the selection must come with the signed authorization of the District Commander (see 7 (d)).**
7. Each District nomination should include the following:
  - a) A completed application form for the candidate;

- b) A separate document outlining how the experiences gained will be passed on to youth groups, Legion Branches, the media and other organizations upon their return. The candidates must be able to develop their own video or slide presentations.
  - c) A maximum of 2 additional pages (8½ x 11 inches) expanding on the application will be accepted and passed on the selection committee. Where more than 2 pages are received, only the first 2 pages will be sent; and.
  - d) **A covering memorandum signed by the District Commander endorsing their District candidate.**
8. The nominations from the Districts will be forwarded to the selection committee (the 3 Vice Presidents). All information that would identify the candidate or the submitting District will be blacked out to ensure impartiality.
  9. The Vice Presidents will be asked to rate the applications on a point basis.
  10. The Vice Presidents will submit their ratings to Provincial Headquarters by a specified date (based on the deadline date from National Headquarters)
  11. National Headquarters will be notified of the selected provincial candidate.
  12. Final approval rests with the Dominion Poppy & Remembrance Committee.
  13. Provincial Headquarters is responsible to notify the unsuccessful candidates.
  14. When reviewing each application, the following requirements shall be recognized:
    - a) must be of the age of majority (19 years of age in Ontario);
    - b) must be a member of The Royal Canadian Legion and possess proper Legion Dress to be worn as appropriate while on the Pilgrimage;
    - c) must be active as a leader of Youth Groups/Youth Programs, Youth Education, e.g. Teachers, Cadet Leaders, etc.;
    - d) must attach a separate document to their application form, outlining their Post Pilgrimage activities, specifically how they expect to pass on their Remembrance experiences gained from the Pilgrimage to youth groups, Legion Branches, the media and other organizations upon their return. This individual must also be able to develop their own video or slide presentation and Provincial Headquarters will determine the expectations for presentation.
  15. The costs will be borne by National Headquarters - This includes domestic travel, international air and coach travel, hotel accommodations, meals, museum admissions and out-of-Canada medical insurance. Accommodation is based on double occupancy. Candidates are responsible for gratuities for the tour guide and coach driver or any items of a personal nature.



## COMPLAINT PROCEDURE

It is not the intent of this section to repeat verbatim the General By-Laws. It has been noted that there are three main areas that seem to cause the most problems, frustrations, etc. among Members and Branches alike. They are the lodging, handling, and hearing of a Complaint. For these reasons, the following details are provided for the assistance of all.

Any Member of the Legion, not in arrears in payment of dues, may lodge a Complaint against another Member. The procedure and requirements for Complaints and appeals are outlined in Article III of the General By-Laws. These procedures must be followed and failure to adhere to the requirements of Article III can result in legitimate Complaints being rejected, and decisions being overturned for procedural reasons only.

Any Member lodging a Complaint or against whom a Complaint is laid should carefully read the contents of Article III of the GBL to understand their rights and the procedural obligations. A formal Complaint is a serious matter and should not be entered into lightly. Legion volunteer and paid resources are limited, and Complaints absorb these resources at the expense of other Legion work. The Complaint procedure is not intended to address personality conflicts or minor oversights and human failings. The best solution to any conflict is to attempt to resolve the matter with the parties concerned and the formal Complaint process should be reserved for matters of serious consequence which have a negative impact on the organization.

The President has the option of attempting mediation between the two parties. See Article III mediation procedures for full details.

Complaints are vulnerable to being lost through appeal if the procedures are not rigidly followed and extra care must be taken when handling Complaints to ensure that the rights of the parties involved are respected and that the time frames and procedural requirements are followed.

*Always use Article III of the current General By-Laws as the absolute authoritative basis for Complaints.*

### FILING A COMPLAINT

- i. To properly initiate Complaint proceedings, a Member must;
  - i. **ensure that the Complaint contains a brief account of the incident or circumstances which forms the basis of the Complaint;**

*This is probably the biggest reason for Complaints being declared invalid. The summary should be written with sufficient detail and content to allow an outsider to have a full understanding of what took place to support the allegation(s). The date(s) that the knowledge was gained by the Complainant to form the Complaint is also an integral component and must be included.*

- ii. **specify the clause under Subsection 304. a. that applies;**

*Complainants forget to put in the 'a' which does not happen when using the Complaint Form. There is also a tendency to activate multiple Clauses, although the summary fails to support same.*

**i. breach of clubhouse rules or privileges;**

- 1. The specific Section(s) should be cited in the Complaint summary.*
- 2. A complete copy of the Branch Clubhouse Rules should be included with the Complaint.*
- 3. A failure to indicate the Sections(s) of the Branch Clubhouse Rules allegedly breached and inclusion of the document will jeopardize the pursuit of the Complaint re this matter.*

**ii. profane or disorderly conduct in or about any place where any event is being carried on under Legion auspices or control;**

- 1. What was the exact profanity uttered? Today's standards are changing.*
- 2. What was done to be disorderly i.e. Assault, shouting, pushing, etc.*
- 3. Where did it happen and what was the event.*
- 4. The Branch being open for business does not in itself constitute an event and thus the Complainant would have to rely upon lodging a Complaint re a Breach of Branch Clubhouse Rules if same are maintained by the Branch and include such a provision.*

**iii. breach of their obligations to the Legion or of these By-Laws;**

- 1. What obligation was it? Be specific and cite authority or section that creates the obligation.*
- 2. What Section etc. of the By-Laws was breached. Be specific.*
- 3. It is not the duty of the Complaint assessor to make assumptions or conclusions when the specific references are omitted.*

**iv. knowingly lodging a false Complaint against a Member;**

- 1. This clause can only be lodged respecting a previous Complaint lodged under Article III against the Complainant.*
- 2. It cannot be alleged and lodged until after the Complaint Hearing Committee has dismissed the original Complaint in its entirety.*

**v. conduct which in any way brings or tends to bring the Legion into discredit; and/or**

- 1. The conduct should be described in sufficient detail.*
- 2. The summary must include how the conduct would bring or tend to bring the Legion into discredit.*

3. *What has been the effect, if any, on the Legion in the community?*

**vi. theft or misappropriation of Poppy funds, Legion funds, or property.**

1. *Theft is defined, in part, as the acquisition (take or convert) without consent, by one without title to same, of another's property with an intent to deprive.*
2. *Misappropriation is defined as - Misuse, fraud, stealing, cheating, embezzlement.*

**vii. harassment or sexual harassment.**

1. *Normally consists of repeated unwelcome remarks or behaviour directed at a person which may extend over a period of time.*
2. *Could include such things as unwanted touching, patting, etc., and dependent upon the situation, may have a sexual component involved in the behavior.*

**iii. sign the Complaint;**

1. *The Complaint must be dated and have the original signature of the complainant.*
2. *Complaints received other than by the means cited in Section 301. i. of The GBL are unacceptable.*
3. *No fax, e-mail or photocopies of any Complaint will be accepted.*

**iv. enclose payment of a Complaint filing fee in the amount of \$100 payable to the Branch or Command with which the Complaint is filed. The complainant will have the \$100 returned in all but one circumstance. That circumstance is where there is a final disposition at a hearing (after all appeals, if any, are heard) and at that hearing the entire Complaint is completely dismissed. Then and only then will the \$100 filing fee be forfeited; and**

1. *A failure to submit the filing fee will render the Complaint invalid.*
2. *Branch cheques cannot be used as the Complaint is between two Members and thus excludes any involvement by a Branch.*

**v. address it to and lodge it with the Secretary of the appropriate Branch or Executive Director of the Command within 15 days from the date the complainant in good faith, first had knowledge of sufficient facts of the alleged offence having been committed.**

1. *Excluding a complaint under Subsection 304.a.vii., calculate the 15 days by not counting the day of the occurrence, or date that sufficient facts became known. Therefore, if an incident occurred March 9, the 15 days would end at midnight on March 24.*

2. *In reference to Complaints under Section 304.a.vii., the Complaint must be lodged within ninety (90) days from the time that the alleged incident occurred.*
3. *Reference Section 601. (2) of The GBLO should the Complaint be against a Standing Committee Chair of the Command.*

## **HANDLING A COMPLAINT AT BRANCH LEVEL**

1. The provisions of subsection 301.c. must be strictly observed.
  1. *A Conflict of Interest for **any** Member through their Office, influence, or knowledge may be deemed to exist through a real or perceived interest in, or effect on the outcome of any Complaint or appeal under Article III.*
  2. *The application of this provision is therefore not restricted to the direct involvement in a Complaint e.g. President, Secretary, etc.*
  3. *Reliance on Common Sense is the best rule. If you think there is a conflict, either real or perceived, there probably is and therefore you should recuse yourself from any involvement.*
2. In all Complaints the Secretary **shall immediately** bring it to the attention of the President and **acknowledge receipt** to the complainant as **either** being properly lodged or not as determined by the President. The Secretary shall serve (see Subsection 301.i.) a copy of the **properly lodged Complaint** on the Member against whom the Complaint was lodged **within seven days**.

*The President determines if all of the criteria under 304.b. have been met including the following:*

- (i) *Are the two Parties identified.*
- (ii) *Sufficient summary to create reasonable & probable grounds to support the allegation.*
- (ii) *Cite full number identifier. Must be cited as shown e.g. 304.a.iii. etc.*
- (iii) *The Complaint contains an original signature of the Complainant.*
- (iv) *The Complaint filing fee is included.*
- (v) *Lodged with the Secretary within the appropriate time limits.*

A COMPLAINT WHICH COMPLIES WITH THE REQUIREMENTS OF SECTION (304.b.) SHALL BE DEEMED TO BE PROPERLY LODGED. ANY COMPLAINT WHICH DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION SHALL BE DISMISSED BY THE PRESIDENT ON THE REPORT OF THE SECRETARY.

*The President should draft a report explaining why they either did or did not dismiss the Complaint. This is not a rubber stamp process and the President may be called upon to justify their actions. This report can be retained by the President until or if required. However, if the Complaint is dismissed, the letter to the Complainant should cite the reason for dismissal e.g. It*

**fails to provide sufficient details in the summary to support the allegation pursuant to Section 304.b.i. GBL.**

**Note:** Where the Complaint has not been properly lodged, the President shall dismiss the Complaint and advise the Secretary to notify the complainant in writing that the Complaint has been dismissed and provide the reason corresponding to Section 304. b. for rejection of the Complaint.

3. Where a Complaint has been properly lodged in accordance with Subsection 304. b. and pending the final disposition of such Complaint, the President of the Command or Branch **may deprive** the Member against whom the Complaint is lodged, of clubhouse privileges and remove them from office or position held. **Such deprivation and/or removal is not appealable.** However, if the Complaint is withdrawn or found to be unsubstantiated upon completion of the hearing, the Member shall be immediately reinstated for all purposes and any removal from office is deemed to have never occurred.

1. *The deprivation and removal from office/position **should only** be applied when the circumstances warrant and not a matter of course.*
2. *Removal from Office or Position held only applies to the level at which the applicable President has jurisdiction over.*
3. *The Member does not lose credit for time served in office if the Complaint is withdrawn or dismissed.*

4. The President of the respective Branch or Command **may** cause both parties to be contacted to determine whether mediation should be attempted to resolve the Complaint. **See mediation procedures.**

5. Within 21 days of receiving the Complaint the **President shall appoint** a Complaint Committee. (See Section 301. b. i.)

1. *Count the days starting at the day after receipt of the Complaint by the Secretary.*
2. *Must be voting Members in good standing. (Chair, 2 sitting and 2 waiting Members)*
3. *Only one Executive Member at Branch level of the five can be appointed.*
4. *Ensure that there is no real or perceived Conflict of Interest of any Member.*
5. *Committee may be formed of voting Members from outside the Branch, but it is still the Branch or Command President's job to appoint them, **not** Zone or District.*
6. *The President should now have no further involvement in the subject Complaint unless Mediation was optioned.*

6. The **Committee Chair shall decide on a date and place of a hearing** to be held **not later than** 45 days after the appointment of the Chair.

1. *Same counting method as previously noted to calculate total days.*
2. *This is the Complaint Committee Chair's job, not the President or any other Member.*



7. **At least 21 days** before the hearing the **Committee Chair or their designate** shall serve (see Subsection 301.i.) **notice on the parties advising them of the date, time and place of the hearing, their right to be heard, to call witnesses and the names of the Committee Members including the Members in waiting.**
  1. *Letters can be done by Secretary or Complaint Committee Chair and must include all of the above. A Form letter ensures consistency. See samples provided within this section.*
  2. *It is the Chair's responsibility to ensure that the notices are served on the parties.*
  3. *21 clear days. Therefore, the recipient must receive the Notice 21 full days before the Complaint Hearing. It is imperative that if using another means of service other than personal service that the notice be sent out in advance of the 21 day limit to ensure receipt before the 21 days commences. Thus, if the Complaint Hearing is on the 30<sup>th</sup> day of a month, the recipient must receive the notice on or before the 8<sup>th</sup> day of that month.*
  4. *All documents under this Article are to be sent to the appropriate Parties of the Complaint rather than Agents or lawyers. Applies across the board.*
  
8. Each party shall have the privilege of **one preemptory** challenge of any **one** of the Members **except** for the Chair, by **serving notice** thereof on the Chair **at least 10 days prior** to the hearing. No challenge will be allowed at the hearing.
  1. *Can only challenge one of the declared Members not Members in waiting unless elevated.*
  2. *Cannot challenge the Chair.*
  3. *Onus is on challenging Member to ensure that notice is served as per Section 301.i. at least 10 days prior to the hearing.*

### **MEDIATION PROCESS (Section 306)**

1. Upon the lodging of a Complaint at any level, the President of the respective Branch or Command **may** cause the parties to be contacted to determine whether mediation should be attempted to resolve the Complaint.
  1. *Many factors influence - Allegation, circumstances, office, relationship, etc.*
  2. *It is at the prerogative of the President to offer mediation.*
  2. *Normally ask the complainant first and if they say no, that ends it right there.*
  
2. Where it appears that **mediation may resolve the Complaint**, the President of a Branch or Command shall appoint a mediator or a mediation team for this purpose.
  1. *Choose the mediator or mediation team wisely ensuring that there is no Conflict of Interest in existence.*
  2. *The Member(s) or other persons acting as Mediator(s) cannot be on the Complaint Committee.*

3. Either party, the mediator or the mediation team may terminate the mediation process at any time by **giving written notice** to the President.

1. *Must be signed, dated and addressed to the President.*
2. *The rules re: service of documents under Section 301. i. apply.*

4. Where a mediator or mediation team is appointed, the time periods set out in Article III continue to apply.

*The President must continue to appoint a Complaint Committee re Time Limits and should not await the results of Mediation. Easier to cancel the Hearing Date than go beyond the time limits and open up an avenue for appeal or failure to deal with the Complaint pursuant to Section 312. GBL.*

5. A mediated resolution may include **any disposition as set out in Section 311.**

1. *There is no option to apply any other disposition other than those found in Section 311.*
2. *A Complaint that only alleges a Breach of the Clubhouse Rules limits the dispositions available.*

6. Any resolution by mediation **must be in writing and signed by both parties** and the Mediator(s). The Complaint is then deemed to be concluded for the purpose of this article and there is **no appeal** from the result.

*Must be agreed to and signed by both parties with the Mediator acting as the signing witness to both parties' signatures.*

## **HEARING PROCEDURES**

Certain principles must be borne in mind by the committee at all times during the hearing:

- A Member is presumed innocent until proven otherwise.
- The onus is upon the complaining Member to establish the probability of the allegations made in his Complaint to the satisfaction of the Committee, failing which, the Complaint must be dismissed.
- The benefit of doubt must be given to the person against whom the Complaint is lodged.
- The Member complained against is entitled to the full details of the Complaint.
- The evidence, where possible, should be the best evidence available (i.e., given by the witness in person and not by written submission. If impossible to have the witness there, then a sworn declaration is desirable).

1. Where, **at any stage during the Hearing Procedure** set out in Section 308 and 309 civil or criminal proceedings are commenced, the Hearing Procedure **shall be suspended until a judgment is rendered in the civil or criminal proceedings**, at which time the Hearing Procedure will continue, upon notice being served to the parties, at the point at which it was suspended.

- i. *Do not wait to lodge Complaint till after any proceedings. The Complaint should be lodged at the time of the incident and/or when the complainant has the necessary reasonable & probable grounds.*
  - ii. *Proceedings commence when actual criminal charges are laid or a civil writ is filed in a court of proper jurisdiction. i.e. A police investigation does not qualify as proceedings and therefore does not qualify as a reason to suspend the hearing.*
  - iii. *The Complaint must have been declared valid and properly lodged before this section can apply and result in its suspension.*
  - iv. *Wait for the thirty day appeal period after the date of the judgment and confirm that no appeal has been submitted to the judgment before recommencing the Hearing Procedures.*
2. The **Complaint Committee** shall **hear the evidence** in support of the Complaint in the presence of the Member complained against and his agent if the Member desires. **Both parties or their agents (but not both)**, shall have the right to introduce evidence, cross-examine witnesses and to call witnesses on their behalf.
- i. *An Agent only has standing at the Complaint Hearing and has no authority to act on the Member's behalf either before or after the Complaint Hearing.*
  - ii. *Cannot have the Member and their agent both doing the job. One or the other. Therefore if the Agent introduces evidence and questions witnesses, they must carry the duties throughout the entire hearing and the only time that the Member would be allowed to speak would be while testifying.*
3. Evidence **should normally** be given under oath/affirmation **when practical** to do so.
- i. *All oral evidence should be under oath/affirmation. See GBL Section 309 for examples.*
  - ii. *Documents can be used, but must be entered by someone testifying to their correctness and accuracy. Usually only business records i.e. Bar Steward Diary, etc.*
  - iii. *Sworn Affidavit evidence may be used on those occasions when the witness is unavailable.*
4. If the Member complained against does not appear, **without due cause and notification**, the committee, **upon proof of service** to that Member, may proceed in his absence.
- i. *Notification addressed and served (Section 301. i. applies) to the Complaint Committee Chair must be in writing and must state the reason(s) for being unable to appear and seeking an adjournment. There may be occasions when a valid emergency arises and only a telephone call as notice, or some other means of communication is all that is available rather than written notice. Each situation must be assessed on its own merits. The failure to provide notification and due cause allows the Complaint Committee to proceed with the Hearing if it can be proven that Notice had been properly served pursuant to Section 308. e.*
  - ii. *The Complaint Committee may hold an in-camera session to consult and advise the Complaint Committee Chair whether to proceed or not.*

- iii. *If the Complaint Committee Chair is satisfied with the notification and due cause they may postpone the Complaint Hearing. The other side has no right of appeal respecting this matter as it falls entirely within the responsibilities of the Complaint Committee Chair.*
5. If the complainant does not appear, **without due cause and notification**, the Committee upon proof of service on the complainant, **shall dismiss** the Complaint and may assess costs.
  - i. *The Complaint Committee has no latitude in its decision if they are satisfied that the Member received proper Notice of the Hearing and failed to provide due cause and notification re their absence, they must dismiss the Complaint.*
6. The **Chair for due cause and with notification** may postpone the hearing for a period not to exceed 60 days from the date originally scheduled.
  - i. *The Complaint Committee Chair may apply this Section should the need arise as a result of any unforeseen situation for them or the Committee Members.*
  - ii. *Specifies how long hearing can be postponed and can only be requested once by either party.*
  - iii. *Parties must receive a Notice with a new Hearing date as per Section 308. e.*
  - iv. *Request should be made in a reasonable time prior to the Complaint Hearing date to afford sufficient time to notify the other party.*
  - v. *The decision is the Complaint Chair's alone, although they may confer with the other Committee Members.*
7. A **record of the proceedings** shall be prepared and supported by **either a voice or video recording or, where feasible, by a qualified court reporter.**
  - i. *The transcript of the Hearing must be drafted and should be certified as true and correct by the person having been responsible for the recording and eventual production of the document.*
  - ii. *The record and transcript must be retained in the Complaint File for reference and Appeal Purposes.*
  - iii. *The transcript must be supported by voice or video recording or a qualified court reporter recording.*

### **HEARING COMMITTEE DISPOSITION/DECISION**

1. The Complaint Committee **may either dismiss** the Complaint **or if proven**, impose **one or more** of the following:
  - i. **issue a reprimand that may also require a letter of apology to the Branch and/or if applicable, to the individual or individuals that may have been aggrieved.**

*Can dictate to who and how the letter is presented i.e. Read by the Accused at a General Meeting, etc.*

**ii. deprivation of clubhouse privileges for any period up to 24 months;**

1. See Section 311 c. i. for definition of Deprivation of Clubhouse Privileges.
2. The use of **Time Served** (i.e. The Member was deprived and removed from Office at the time of the Complaint which amounted to three months. The Complaint Committee assesses a Disposition of 3 months Deprivation and Removal from Office and declares Time Served) **is not permitted**. The penalty only starts at the time that it is assessed by the Complaint Committee and cannot be retroactive.

**iii. removal from any office or position held and prohibition from running for and holding any office, for a period of up to 24 months;**

1. Examples are Office i.e. Executive Office, etc. and Position i.e. Chair of Bar Committee.
2. The application of this provision only applies to those Offices or Positions held at the level of the Complaint jurisdiction i.e. Branch or Command.

**iv. suspension from the Branch for any period up to 12 months; and/or**

*See Subsection 311 c. ii. for the definition of Suspension.*

**v. expulsion from the Legion.**

1. See Section 311. c. iii. for the definition of expulsion.
2. Any expulsion will only become effective after all other required avenues have been exhausted e.g. such as a review by Ontario Command pursuant to Section 314. g. if no appeal is received or declared.

**The above are the only dispositions available to Complaint Committees and any deviation may jeopardize the Hearing and result in a successful appeal.**

**Further any failure on the part of the Complained against Member to comply with the rendered disposition may provide grounds for the lodging of a new Complaint.**

2. Where a Complaint **alleges only** a breach of clubhouse rules or privileges, the committee **may dismiss** the charges, or, if proven, impose **one or more of the following:**

**Only two choices if found guilty.**

- i. deprivation of clubroom privileges for a period not to **exceed 12 months;** and/or
- ii. issue a reprimand that may also require a **letter of apology** to the Branch **and/or** if applicable, to the individual or individuals that may have been aggrieved.

*Committee can decide whether the Member must read and file his Letter of Apology at a General Meeting, or whether just direct it to a Member or Members or both.*

Note: Clubhouse rules must have a certificate of compliance by Ontario Command to be considered.

3. The decision of the Complaint Committee shall be **forwarded to the Secretary of the Branch/Command and served** (see Section 301.i.) on both parties to the Complaint, **within 30 days of the hearing**. The decision is final unless appealed under Section 314.

- i. The decision goes to the Secretary who ensures service to the parties*
- ii. Service again is the important factor*
- iii. Use calculation method: 30 days, as previously noted.*
- iv. The decision must still be served on the Parties regardless of whether expulsion is part of the decision.*

4. Where the decision provides for expulsion from the Legion, the decision shall be **served (see Subsection 301.i) immediately** on the next superior Command and **shall not become effective until it has been considered under Subsection 314.g**.

**Note** – The decision must be sent to Provincial Headquarters ASAP following the Complaint Hearing. The decision will be reviewed by the Constitution and Laws Committee Chair unless an appeal was submitted by a subject Party. Thus, at some point all supporting tapes, transcripts and documents may be requested to be submitted to Provincial Headquarters.

***\*\* BRANCHES MUST KEEP GOOD RECORDS OF COMPLAINTS  
WITH A COPY OF SAME IN THE MEMBER'S FILE IF FOUND GUILTY. \*\****

### **FAILURE TO DEAL WITH COMPLAINT (Section 312.)**

Where a Complaint has not been proceeded with in accordance with the **time limits** required by these By-Laws, **the complainant or the Member complained against may** send a copy of the Complaint to the next superior Command which **shall** initiate the necessary action.

- 1. Any correspondence or other documents pertaining to the Complaint must also be submitted by the Member.*
- 2. An explanatory letter must also be included explaining the action, or lack thereof by the Branch.*
- 3. The matter will be reviewed to determine what action, if any, must be taken to address the matter.*

### **WITHDRAWAL**

A Complaint made under Section 304 may be withdrawn **by the complainant** at any time by **written notice given to the appropriate Secretary.**

*Same rules apply re Service (Section 301.i) and the onus is on the Complainant to ensure receipt by the Secretary.*

### **APPEALS (Section 314)**

Appeal is available to both parties of a Complaint but only under certain conditions. It must be filed **within 30 days of the notice of decision**. Appeals shall include any evidence and documents submitted to the Complaint committee. **No new evidence shall be accepted.**

- 1. The appeal must include the original Complaint and any other documents or evidence entered at the Hearing.*
- 2. The appeal must state and explain the grounds for the appeal. Section 314. a.*
- 3. The appeal must indicate what is being appealed as appropriate under Section 314. b. or c.*
- 4. An appeal of the penalty may only be appealed on the grounds that it is too excessive in view of all of the circumstances of the Complaint.*
- 5. The Complainant may only appeal a dismissal.*

### **ADDITIONAL COMMENTS ON THE PROCEDURE FOR COMPLAINTS**

1. There is a fine line between employee and Member. The Bar Steward, while working, if a Member, should make an entry in the log book regarding an incident rather than lodging a Complaint as they are acting as an employee at the time. The President, or their designate, would then be expected to lodge the Complaint, if warranted.
2. At no time shall the Complaint procedure be used concerning matters of an employee/ employer nature. These matters must be resolved by the Branch Executive (or assigned committee) within the applicable Employment Standards Act.
3. The reasonable and probable grounds referred to in Section 304. a. may be on the basis of the **Member's personal knowledge**, or on **information supplied** to him by some other person.

Examples: Bar Steward Diary. A complainant may lodge a Complaint without being a witness to the incident nor being present when it occurred.

4. Except where otherwise noted in the GBL, a Complaint against a Branch Member **must be lodged with the Secretary of the Branch** to which the Member against whom the Complaint is made belongs.
5. Where the Complaint is lodged against a Branch President, **elected** Zone, District or Provincial Command Officer, it must be lodged with the Executive Director.

*Check the Provincial By-Laws to determine who is elected in Zone & District. Normally it will be the Commander and the Deputy (s). In some areas the Sports Officer is also elected. There is no provision for any other Office to be elected at those levels in our By-Laws.*

6. A group of Members cannot lodge a Complaint against a Member or a group of Members. If a Member wishes to lodge multiple Complaints, they must lodge separate Complaints against

each Member. The only grounds which can be considered are the ones listed in the By-Laws. The Complaint must be specific when referring to the offence.

7. If theft or misappropriation as noted above is suspected, a report should be filed with police along with a Legion Complaint being lodged. The police investigation may or may not result in charges. Neither situation has a bearing on the Legion Complaint which does not require the same high level of proof as required in a court. If the Member is convicted of an offence under Section 419 of the Criminal Code of Canada (Stolen Valour) or theft, fraud, or misappropriation of Poppy funds, Legion funds, or Legion property, the Member shall be summarily expelled from the Legion, and any Article III will be abandoned upon a confirmed expulsion. Section 202 GBL
  - i. Further a Branch should not agree to accept repayment from a Member in this situation as this would nullify any subsequent criminal charges and force the Branch to pursue the matter through civil process if the Member defaults on payment.
  - ii. Finally, insurance companies require that criminal matters are reported to the police and that the victim (Branch) cooperate with the police investigation. This also provides an opportunity for a Restitution Order for Repayment, as part of their sentence, if the Member is found guilty.
8. In no case shall a Complaint be initiated **more than one year after the actual occurrence of the event, unless** the Complaint alleges theft or misappropriation of Poppy funds, Legion funds or property.

All Complaints, not alleging theft or misappropriation, must be lodged within one year from the date of occurrence regardless of when the Complainant became aware of same.

Complaints alleging theft or misappropriation are not restricted to the one year timeline, thus, the knowledge thereof, requires the Complaint to be lodged within 15 days.

Example: 2 years pass, and a forensic audit finds that the Treasurer had fraudulently paid themselves for expenses that they did not incur. A Member would have 15 days from the date of his knowledge of the fraud coming to light to lodge a Complaint.

9. Complaints against an L.A. Member may only be lodged by another L.A. Member. Where the Member complained against is a Member of the Branch and the L.A., any penalties imposed will apply in respect of both the Branch and the L.A.
  - i. If the Member has Dual Membership, then a Complaint can be laid by a Branch or LA Member against same.
  - ii. LA Member only - Non LA Member can forward letter of Complaint to LA President similar to the Bar Steward actions and the Branch President.

**NOTE:** The possibility of a Branch Member lodging a Complaint against another Member who is both a Legion Member and a Member of the Ladies' Auxiliary. The Complaint



can go ahead. They are lodging a Complaint against another Member, regardless, if the actions of the lady were done while she was performing duties for the Auxiliary.

### **GUIDELINES FOR THE COMPLAINT COMMITTEE**

These guidelines are not intended to be exhaustive and are provided to assist the Complaint Committee in carrying out its duties. All Members of the Committee should carefully study the requirements of the Complaint Procedure as outlined in Article III of the General By-Laws. The use of the Complaint Committee Worksheet (Command Website – Members Resources) is a document that will assist the Committee and its endeavors in conducting the Hearing.

### **INTRODUCTION OF PROCESS BY COMPLAINT COMMITTEE CHAIR**

- 1) The only persons that should be in the room while the hearing is taking place are the Committee Members, the Complainant, the Complained against Member, Party agent(s), a Recording Secretary, and a Witness, if testifying.
- 2) Introduction of the Complaint Committee Chair, Committee Members, and the Recording Secretary.
- 3) The Chair shall:
  - Determine if the Parties are present, and if not, confirm that the missing Party was properly served Notice pursuant to S. 308. e. GBL. before deciding on what action to take, or whether to continue the Hearing.
  - Inform the Parties to the Complaint that the Complaint Committee shall hear the evidence in support of the Complaint first as well as the introduction of the witnesses (if applicable) and their testimony. The Complained against Member will then have the opportunity to introduce evidence and to call witnesses (if applicable).
  - Inform the Parties to the Complaint that once a witness has been heard, the other side will have an opportunity to cross-examine.
  - If Agent(s) are present, inform both sides that only the Member **or** the Agent has the right to introduce the evidence and cross-examine witnesses and to call witnesses. An Agent cannot be called as a witness.
  - Inform the Parties to the Complaint that the evidence at the Hearing will be given under oath or affirmation (Member's choice) and this will be recorded.
  - Inform the Members that once the evidence has been submitted and witnesses heard, the Hearing will close, and the Complaint Committee will make their final decision thereafter which will be served to both Parties to the Complaint within 30 days of the Hearing date.

## COMPLAINT HEARING PROCESS

1) The Chair shall:

- Read the Complaint, which **shall be restricted** to identifying the involved Parties and specifying the breach(s) wording under S. 304. a., as alleged. The Complained against Member, if present, shall be asked if they understand the nature of the Complaint and whether they admit or deny the allegation(s).
- Ask the Parties to the Complaint if they are satisfied that all formalities have been complied with in accordance with Article III GBL i.e. Notices, timing, Constitution of Committee, etc. Note any objections and at this juncture the Committee may be required to decide whether to proceed, dependent upon the circumstances advanced.
- Invite the Parties to come forward and be sworn in by oath or affirmation (their choice) by the Recording Secretary. S. 309. b. GBL.

**Oath:** Do you swear that the evidence you shall give to this Committee will be the truth, the whole truth and nothing but the truth so help you God?

**Answer:** I do.

**OR**

**Affirmation:** Do you solemnly affirm that the evidence you shall give to this Committee will be the truth, the whole truth and nothing but the truth?

**Answer:** I do.

- Invite the Complainant (or Agent) to make an opening statement including the nature of the Complaint and present their evidence including the calling of witnesses.
- Advise the Complainant, in presenting their personal testimony evidence, will be exposed to cross- examination in the same manner as other witnesses.
- Permit witnesses to be called one at a time and they must leave the room after they have completed their testimony excluding the Parties.
- Have each witness identify themselves and be sworn or affirmed by the Recording Secretary before giving their testimony.
- Number and date any exhibits produced after they have been identified and their relevance verified.
- Rule on the relevance of testimony and avoid permitting hearsay evidence not held in the presence of the Complained against Member.
- Make personal notes of the evidence heard and ensure that the Members do likewise.
- Invite the opposing Party to exercise their right of cross-examination once the Witness has given their evidence in chief.

- Invite the Complained against Member (or Agent) to make an opening statement and present their evidence including the calling of witnesses after the Complainant has completed the presentation of evidence in support of the Complaint.
- Advise the Complained against Member, although not compelled to testify, that they may give evidence which is also open to cross-examination.
- Ask the Complainant and Complained against Member if they have anything further to add in closing statements that they feel relevant to the matter before the Committee.
- Advise the Parties that all testimony and other evidence will be reviewed including any objections, in arriving at a decision which will be served on the Parties in due course.
- Will then close the Hearing and excuse all Parties and Agents, if applicable.

### **CONCLUSION**

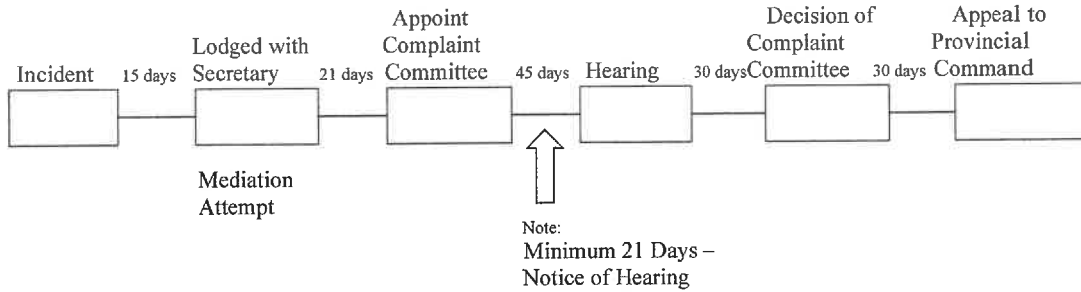
After reviewing all the material and testimony presented, the Complaint Committee must render a decision (see Hearing Committee Disposition/Decision and Article III, Section 311). The decision should be recorded for the purpose of the recording secretary as well as written and signed for the purpose of the Secretary. The use of the Complaint Committee Worksheet (available on the Provincial Website under Forms & Manuals, Constitution & Laws) assists in recording the decision and is available for use by the Secretary.

- a. The Complaint Committee decision will be forwarded to the Secretary of the Branch or Executive Director and served on both Parties within 30 days of the Hearing.
- b. The Complaint Committee Members should not discuss the decision with the parties to the Complaint, .
- c. The complete file including tapes and documents remains the property of the level at which the applicable Hearing was convened.

### **NOTE**

**Complaint Hearings are similar in structure and proceedings to those applied in a court of law respecting the presentation of testimony and evidence.**

## COMPLAINT PROCEDURE LINE LOGIC



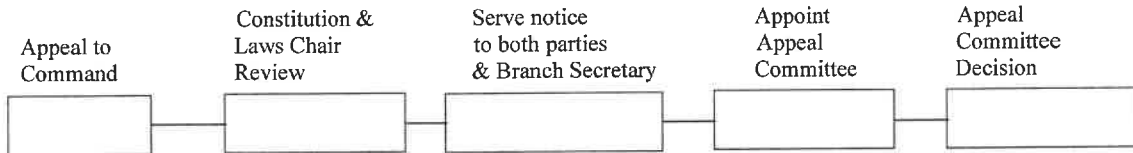
**Challenge**

One Challenge at least 10 days prior to the Hearing by registered mail, etc.  
The Chair cannot be challenged.

**Delay of Hearing**

The Hearing may be deferred up to 60 days with just Reason and proper written notification to the Chair.

**APPEAL TO COMMAND**



**Sample of Notification Letter of Properly Lodged Complaint**

Date

WITHOUT PREJUDICE

Certified or Registered Mail or Priority Post

Delivery of the document to member personally with a witness

Name

Address

Town/City, ON Postal Code

RE: COMPLAINT LODGED AGAINST YOU BY COMRADE

BRANCH NO. \_\_\_\_\_

We enclose a duplicate copy of complaint lodged against you by Comrade \_\_\_\_\_. The President has determined that the above noted complaint was properly lodged.

Comrade \_\_\_\_\_, President has advised that effective immediately you are hereby removed from all offices and positions held by you and deprived of clubhouse privileges, pending the final disposition of the complaint as per Article III Section 304 (h) of the General By-Laws. **(Note: This is an option, not mandatory)**

Comrade \_\_\_\_\_ has also indicated that mediation will not be offered to either party and the complaint will proceed as required under Article III, of the General By-Laws. You will be notified in due time of the Complaint Hearing date, time and place.

Regards,

Secretary, Branch \_\_\_\_\_

**Sample of Mediation Letter**

**(For Mediator)**

Date

Name

Address

City, ON Postal Code

Dear Comrade \_\_\_\_\_

RE: COMPLAINT LODGED AGAINST COMRADE , BY \_\_\_\_\_  
COMRADE \_\_\_\_\_ , BRANCH NO. \_\_\_\_

In accordance with Article III Section 306 of The Royal Canadian Legion General By-Laws, Comrade \_\_\_\_\_ President of Branch\_ has requested mediation in the above noted complaint and both parties have agreed.

I have enclosed a copy of the complaint and subsequent correspondence to assist you with the mediation, please note that any agreement **must be in writing and signed by both parties and yourself** with a copy to our office.

As per the President, the mediation dealing with the complaint will take place as follows:

Date: \_\_\_\_\_

Place: The Royal Canadian Legion, Br.  
Address  
City, ON Postal Code

Time:

Please note: that this meeting is held with the mediator and the two parties only. There will be no calling of witnesses for either party.

Regards,

Secretary, Branch \_\_\_\_\_

Cc:

**Date Sample of Hearing Notification Letter**  
**(To a member against whom a complaint has been lodged)**

Certified or Registered Mail or Priority Post

Delivery of the document to the member personally with a witness

Name

Address

Town/City, ON Postal Code

RE: COMPLAINT LODGED AGAINST YOU BY COMRADE \_\_\_\_\_, BR.# \_\_\_\_\_

Comrade \_\_\_\_\_ President of Branch # \_\_\_\_\_, has appointed a Complaint Committee to deal with the complaint. Please note, Comrade \_\_\_\_\_ has advised mediation will not be offered to either part as per Article III, section 306 (a) of the General By-Laws.

The Complaint Committee will consist:

Comrade _____	Chair
Comrade _____	Member
Comrade _____	Member
Comrade _____	Waiting Member
Comrade _____	Waiting Member

The hearing dealing with the complaint will take place as follows:

Date:	
Place:	The Royal Canadian Legion, Br. Address Town / City, ON Postal Code
Time:	A.M./P.M

At least ten days prior to the hearing, you may have the privilege of one peremptory challenge of any one of the members. This must be prepaid certified or registered mail or courier or documented personal service with a witness. Comrade \_\_\_\_\_ is afforded the same privilege. The Chair may not be challenged, and no challenge will be allowed at the hearing.

The Chair for due cause and with notification may postpone the hearing for a period of 60 days from the date originally scheduled.

The Complaint Committee shall hear the evidence in support of the complaint in your presence and that of your agent (if desired) and you or your agent shall have the right to introduce evidence, cross-examine witnesses and call witnesses on your behalf. Comrade \_\_\_\_\_ shall have similar rights.

If you do not appear at the hearing without due cause and notification, the Committee may proceed in your absence.

Please be advised that you have the right to be heard and to call witnesses on your behalf.

Regards,

Secretary, Branch \_\_\_\_\_

cc: Complaint Committee



**Sample of the Hearing Committee Decision Letter**

Date

WITHOUT PREJUDICE

Certified or Registered or Priority Post

Or Delivery of the document personally in the presence of a witness

Name

Address

City, ON Postal Code

RE: COMPLAINT LODGED AGAINST YOU BY COMRADE \_\_\_\_\_

BRANCH NO. \_\_\_\_\_

After careful deliberation and examination of all evidence in the above noted complaint, the Complaint Committee has rendered its decision as follows:

The Committee finds that you have violated Section 304 \_\_\_\_\_  
and imposes the following disposition in accordance with Section 311.

Examples: Reference the Dominion By-Laws – Article III

- a. *Deprivation of the clubhouse privileges for a period of 12 months*
- a.iii *Removal from any office or position held and prohibition from running/or and holding any office, or position for a period of 12 months.*

Regards,

Secretary, Branch \_\_\_\_\_

cc:

## DISTRICTS AND ZONES

The General By-Laws define 'District' and 'Zone', and each are formed for administrative purposes within a Provincial Command. Provincial Commands are solely responsible for the administration of zones and districts within their jurisdiction and the Districts and Zones are to perform such duties and functions as the Provincial Command may deem necessary. The Provincial Command is authorized to enact by-laws for determining the right of attendance and voting privileges at Zone and District Conventions and other matters of procedure.

**Proxy voting at District or Zone Conventions is not permitted.**

The Command may authorize a District or Zone to raise funds for carrying out its duties, powers and functions by such methods as authorized by by-law (i.e., per capita assessment, etc.), but subject to any restrictions or limitations contained therein.

**Any real or personal property or funds possessed by a District or Zone are the property of the Provincial Command and shall be procured, held or used by the District or Zone as an administrative agent of the Command.**

The District and Zone are not legal entities of the Legion and no charter is issued to them. They may not make decisions as to Legion policy or administration, inconsistent with the policies in effect or contrary to the Provincial and Dominion By-Laws.

The GBLO do not provide the authority for, a Zone or District to have the authority to, legislate that Dominion Command Officers and/or Dominion Command Standing Committee Chairmen residing within a Zone or District, be made members of a Zone or District Executive Council.

Zones and Districts underwrite the cost of Past Zone/District Commander medals.

For expenses incurred by Districts and Zones, please refer to the PEC Expense Policy for detailed information.

The Zone and District Commanders must obtain approval through Provincial Headquarters prior to their acceptance of invitations to a Ladies' Auxiliary function; otherwise expense vouchers will not be honoured. They will be authorized to attend a maximum of one Ladies' Auxiliary function at command expense during their term of office.

The By-Laws do not provide for Zones and Districts to make resolutions and branches are not obligated to submit a resolution to the Zone or District, though approval by the Zone and District adds weight to the resolution. If a branch resolution is not approved at a Zone or District Convention the onus is on the branch to submit the resolution to the Provincial Headquarters, if the branch still wishes the resolution to go forward.

District and Zone Commanders do not hold a vote at Dominion Conventions by virtue of their office. They can attend as a delegate of their own Branch and carry up to four (4) proxies or attend as a delegate of Ontario Command and carry zero (0) proxies.

The Zone and District Commanders hold a vote by virtue of their office at the Provincial Convention but cannot carry proxies if they attend as a P.E.C. delegate rather than as a Branch delegate (cannot be both).

### Insurance Coverage

In accordance with the Act to Incorporate, **branches** are autonomous with respect to their operations and **are not covered** by the insurance policies purchased by Ontario Command.

**The following coverages are in place for Zones, Districts, Provincial Command and the Officers holding the positions as noted:**

- **General Liability** - for general claims against the zone, district or provincial command.
- **Directors' and Officers' Liability** – covers all PEC positions, Deputy Zone Commanders, and all other elected and appointed officers at the provincial, zone and district level.
- **Travel Insurance for death and dismemberment** - limited coverage for death and dismemberment in accordance with the policy for the following members under age 85 years: PEC, CF Directors, Members serving on Boards of Management or Branch Advisory teams, all elected and appointed officers at provincial, district and zone levels.
- **Dishonesty policy** - covers the following positions: Signing officers of Ontario Command, District Commander, Deputy District Commander, District Treasurer, District Sports Officer, Zone Commander, Deputy Zone Commander, Zone Treasurer, and Zone Sports Officer.

Claims must be reported immediately to Provincial Headquarters and coverage is only to the extent of the provisions of the insurance policy applicable.

In addition to property and liability insurance, it is strongly recommended that branches carry Volunteer Disability and Dismemberment Insurance. It is an 'excess' or secondary policy available to branches at a minimal premium. Primary insurance, eg. OHIP, employees' benefit or personal plans such as Blue Cross, Green Shield, are first to respond to any claims presented. Coverage limits may vary.

District and Zone Commanders should encourage their branches to purchase this extra protection for their volunteers. A branch **WITHOUT a Volunteers Disability and Dismemberment policy** is putting both their volunteers and their branch at risk should there be a loss or injury sustained by any member in a volunteer capacity.

Examples of situations to which this policy may respond, a member volunteers to change a light bulb, slips from the ladder and injures his back. He knows it was his 'fault'. He needs chiropractic treatment for which he doesn't have insurance elsewhere to cover; another, a young cadet is poppy tagging, for the branch, trips on the sidewalk, his parent is unemployed, he needs

medical treatment not covered by OHIP; or, as many branches have volunteers in the canteen. A volunteer steward slips on a spill and breaks her arm. She needs painkillers and medical treatment. In each, this policy may respond.

It is a comfort to members to know there may be some coverage available should they injure themselves in the course of performing duties as a volunteer. The coverage can save the expense, aggravation and embarrassment of having to initiate a liability claim against the branch to recover out of pocket expenses related to a relatively minor injury. Again, it is important to note the policy is secondary to primary policies.

Another ‘extra coverage’ policy available and recommended for branches renting their hall for functions with bar service is Party Alcohol Liability insurance or PAL. This per event policy with a minimal premium would be offered to the renter. The application is available and explained on the website at [palcanada.com/legion](http://palcanada.com/legion). It can be completed and paid by credit card while the person is in the branch signing the rental contract. If the policy is declined, a branch would be well advised to have a spot where the renter could initial having rejected the offer of coverage.

Appreciating some may question the need for ‘extra’ coverage, today’s society is claims conscious. Suppose a wedding party has rented the hall to host a “stag and doe”, a guest is involved in an accident on the way home or slips and falls on the stairs or in the parking lot, the injured parties take action against anyone and everyone remotely connected to the event, including their friends the “hosts” of the function. Having this coverage in place could save the personal finances of the renter from being jeopardized, and perhaps, save friendships, too.

Please always contact your insurer with questions.

## **DISTRICTS**

The District is subject to the jurisdiction of the Command.

A District Commander and Deputy District Commander(s) are elected by representatives of the branches of the district in which they are a member, at a duly called District Convention held prior to a Provincial Convention. The term of office shall be from the conclusion of the Provincial Convention immediately subsequent to his election to the conclusion of the next Provincial Convention.

The District may elect by ballot a District Sports Officer or he/she may be appointed by the District Commander.

### **Responsibilities following election to the position of District Commander**

- Advise the Provincial Headquarters of the names and addresses of the appointees to the Provincial Standing Committees as noted: Leadership Development, Membership, Poppy, Public Relations, Sports, Track & Field, Veterans Services/Seniors and Youth Education;

- Advise Provincial Headquarters of the district representative to the Board of Directors of the Charitable Foundation and to the Bursary Committee;
- Appoint a minimum of 2 members from the District who are proficient in branch financial operations and who possess the necessary people skills to act as District Branch Advisors;
- Notify Provincial Headquarters of the names, addresses, telephone numbers, etc., of the incoming District and Deputy District Commander(s) following the District elections;
- Meet with the newly elected Zone Commanders following convention to outline their duties and responsibilities;

### **General Duties and Responsibilities of a District Commander**

- To co-ordinate in conjunction with the Zone Commander, seminars at Zone level;
- To encourage the attendance of members of the Ladies' Auxiliary at District and Zone Seminars;
- To make certain that Branches participate in Command programs and projects;
- To ensure that Branches adhere to the GBL and the GBLO;
- To foster good working relationships and open communications between the Branches and the Ladies' Auxiliaries to the branches within the district;
- To impress upon branches, the necessity of good public relations within the community;
- To convene District Executive Council meetings;
- To oversee the organization and planning of District Conventions;
- To submit a copy of the complete certified financial review/audited statement of all District accounts including Sports - for the end of each fiscal year to Provincial Headquarters on or before 31 October of each calendar year and must include a list of all investments. These statements must include the following accounts, General, Sports, Bursary, Disaster Relief, Track & Field, Veterans Comfort Fund, Youth Sports, Lottery, Hospital Fund and any other funds not listed
- To make certain that Zone Commanders are aware of their duties and responsibilities;
- To ensure that Zone Commanders submit the certified reviewed financial statements of the Zone including sports within 90 days of the end of the fiscal year for forwarding to the Provincial Headquarters on or before 31 October of each calendar year and must include a list of all investments. These statements must include the following accounts, General, Sports, Bursary, Disaster Relief, Track & Field, Veterans Comfort Fund, Youth Sports, Lottery, Hospital Fund and any other funds not listed.
- To ensure that the Zone Commanders forward (via email), in a timely manner, all the Branch Inspection reports from applicable branches. They must be reviewed on a timely basis. The District Commander adds his comments and then forwards the report and documents to Provincial Headquarters who will then forward to the SEO and Provincial President.
- If a Zone Commander has flagged the branch for assistance, a copy of the inspection report along with documents is immediately sent via email to the Provincial Headquarters with a cc: to the District Commander. These reports will get triaged and sent to the Provincial SEO for their comments to the Provincial President.
- To render assistance to Zone Commanders as the need arises;
- To implement through Provincial Headquarters the District Branch Advisory assistance at the request of the Executive Committee of a branch or when the District and/or Zone has

determined that the executive needs outside assistance to cope with problems within the branch;

- To make certain that Zone Commanders instruct branches to submit information as directed:
  - Attendance at Seminars
  - Completed Poppy Report Form
  - Entries in Branch Bulletin and Scrapbook Contest
  - Information to Schools on the Literary Composition, Poster and Public Speaking Contests and Bursary Program
  - Track and Field Competition
  - Copies of the Branch Bulletin to be mailed to the Provincial Public Relations Chairman and the Ontario Correspondent
  - Membership information to Zone and District Chairmen
  - Branch Programs and Community involvement
  
- To visit at least one zone and attend one zone council meeting annually, for the purpose of explaining the command policy on all matters which have previously been established by convention and PEC meetings, and ensure that the command policy is adhered to in its entirety;
- To ensure that the district is represented at all provincial standing committee meetings. A copy of the notice will be emailed to the District Commander for information purposes;
- To ensure that standing committee programs are discussed at district level and to organize seminars, in conjunction with his District Chairmen at district and/or zone level;
- To approve all expense claims emanating within the District. This review should include ensuring the reasonability of the claim (mileage, meals, etc.) and that the purpose and date of the travel expense are duly noted, with proper documentation/receipts, when accommodation and expenses other than mileage and meals are claimed. Meal claims should be reasonable, based on out-of-pocket expenses and **must not include alcohol or meals for a spouse**;
- To ensure copies of the minutes of District Conventions and District Executive Council meetings are submitted to the Provincial Headquarters for information purposes.
- To attend Provincial Executive Council meetings in November (usually the Saturday following Remembrance Day but depends on which day of the week November 11<sup>th</sup> falls), Provincial Conventions (held every 2 years in May in the odd year), Dominion Conventions (held every 2 years in August in the even year).
- To attend Provincial Administrative Committee meetings held semi-annually on the first weekend in March and generally held the third weekend in August; to be determined by the Provincial President.
- To submit a report for PAC and PEC to Provincial Headquarters one month prior to the above-mentioned meetings.
- To recommend whips and scrutineers as requested by the Provincial Chairman for Dominion and Provincial Conventions.
- To nominate, upon request from the command office, a member from the district who would be a worthy candidate for the Pilgrimage of Remembrance (held in the odd years). Further information is found under the *Pilgrimage of Remembrance* section of this manual and outlines the participation of the District Youth Education Chairmen in this process.

## General Information for District Commanders

Attendance at Zone Conventions, Zone Council meetings or Zone Drumhead Services is the responsibility of the District Commander or his Deputy. Provincial Officers will not be available for functions of this nature. (Convention Mandate).

Visitation Policy - All requests from branches for representation by a Provincial Command Officer are to be submitted through the District Commander for approval prior to forwarding to the Provincial Headquarters.

The *only exception* to the aforementioned paragraph is a request for a Command Officer during Remembrance Week. Requests of this nature will be processed upon receipt.

Invitations extended to Dominion Officers to attend functions must be approved by the Provincial Headquarters prior to any consideration being given by Dominion Headquarters. Ontario Command does not normally provide a Provincial Officer, if a Dominion Officer has been requested and will not approve a request for a Dominion Officer if a Provincial Officer has previously been invited. Requests for a Provincial Officer are based on the assumption that he will be the main speaker.

It is the policy of Provincial Command to entertain invitations and assume responsibility for the payment of normal expenses of those approved Officers and Members of Council. Invitations extended by Branches to former Officers shall be on a direct personal basis and are at the expense of the Branch.

The cost of printing of District minutes, committee reports and bulletins are the responsibility of the District.

District Convention should not be scheduled on the same dates as Provincial Standing Committee Meetings. (usually June and September.)

The District Commander is not authorized to visit outside of his own jurisdiction.

The District Commander of the district in which the Ladies' Auxiliary convention is held, may upon invitation, claim expenses to attend the opening of the convention. The only command officers authorized to attend the full Ladies' Auxiliary convention at command expense are the Provincial President and the First Vice-President. Should a District Commander wish to attend, it will be at their own expense by invitation of the Ladies' Auxiliary.

Ontario Command will not authorize payment of expenses for a Legion Officer to attend a Ladies' Auxiliary Convention Committee Meeting for the purpose of organizing and planning of same.

District Commanders are to be allowed up to a maximum of two visits to other districts during a term in office at command expense. The administration of this is done through the Provincial

Headquarters and an invitation must be extended to the District Commander in accordance with the visitation policy.

A maximum of two (2) District Council meetings may be held annually, with one day only at command expense, to be held in conjunction with or prior to the District Convention (a council meeting shall be permitted subsequent to the Provincial Convention).

When Dominion Command is the host to a function within the Ontario Command, i.e., Legion National Track and Field Championships, expenses will be provided for the official Command Representative (Elected officer) only.

Ontario Command will authorize districts to establish a Standing Committee on Honours and Awards at **no expense to the command** (convention mandate).

The presentation of Life Membership Awards awarded by branches to their members shall be the responsibility of the District Commanders, and it is the responsibility of the branch to invite the District Commander for these presentations.

All orders to the provincial command resale division submitted by a District Council member must be processed through the office of the District Secretary-Treasurer.

### ZONES

The Zone is subject to the jurisdiction of the District and is composed of all branches within its territorial limits as set forth by the District.

A Zone Commander and Deputy Zone Commander(s) are elected by delegates from all Branches within the Zone, at a duly called Zone Convention held at least fifteen (15) days prior to the next District Convention. The term of office shall be from the conclusion of the Provincial Convention immediately subsequent to his election to the conclusion of the next Provincial Convention.

A maximum of two (2) Zone Council meetings to be held annually in conjunction with or prior to Zone Conventions.

A maximum of two (2) visits by a Zone Commander to a branch annually within his own zone at command expense, unless otherwise directed through the office of the Provincial President, other than the annual visit.

The cost of printing of zone minutes, committee reports and bulletins are the responsibility of the Zone.

### General Responsibilities of a Zone Commander

- To exercise general supervision over branches within the zone;
- To convene Zone Executive Council and Zone meetings on a regular basis;



- To inform each Branch President that he is a member of the Zone Executive Council and that he is required to attend meetings of the Zone and Executive;
- To forward a copy of the Zone Convention and Zone Executive Council meetings to the Provincial Headquarters for information;
- To submit the reviewed financial statements for the Zone (including sports) to the District Commander within 90 days of the end of the fiscal year to the District Commander for forwarding to the Provincial Headquarters on or before 31 October of each calendar year and must include a list of all investments. These statements must include the following accounts, General, Sports, Bursary, Disaster Relief, Track & Field, Veterans Comfort Fund, Youth Sports, Lottery, Hospital Fund and any other funds not listed
- To share information and confer with the District Commander on specific branch problems and issues and to assist in the determination of the action to be taken;
- To request that branches prepare their financial statements in sufficient detail to determine anomalies, with comparative figures from the previous fiscal year so that variances can easily be determined;
- To arrange for the annual visitation to branches by notifying the branches within the zone in writing of the date and time of the planned annual visitation to the branch well in advance of the visit. This notification should include information on what is required for them to have available for your review and photocopies as per the most current procedure in the Zone Commander's Handbook.
- Complete the Branch Inspection report online according to latest procedures - after you have had time to review all of the submitted reports. After signing, email a copy to your District Commander along with the required statements and information copies and keep one copy for the Zone file. These items are marked on the form with an asterisk. Pay attention to deadlines.
- If the branch has been flagged for assistance, a copy of the inspection report along with documents is immediately sent via email to the Provincial Headquarters with a cc: to the District Commander. These reports will get triaged and sent to the Provincial SEO for their comments to the Provincial President.
- To inform branches of the available resources to them for branch operations (branch advisory assistance, publications and manuals that specifically address branch operations, the procedure for the *legitimate* use of lottery proceeds for capital improvements under the building fund policy and for building maintenance and upkeep under the more than 2% policy, property tax relief, etc.);
- To ensure that the branch is current with respect to HST, and source deduction payments to the respective governments;
- To ensure that all officers and employees handling funds are covered for dishonesty in the branch insurance policy;
- To ensure that Branch Poppy Trust Funds and Lottery Trust Funds are each maintained in separate accounts;
- To ensure that the General, and all Lottery Trust Accounts of the branch are reviewed annually;
- To ensure that the Branch Financial Review Committee reviews the Branch Poppy Trust Funds annually and completes a Poppy Review Certificate.
- To notify the Provincial Headquarters of the names, addresses, telephone numbers, etc., of the incoming elected Zone and Deputy Zone Commander(s) following the Zone elections;

- To encourage Branches to send delegates to Zone, District, Provincial and Dominion Conventions;
- To give assistance to branches, as required, and encourage them to participate in all Legion Programs;
- To ensure that branches adhere to the GBL, GBLO and GBLB in their entirety;
- To foster good working relationships and open communication between the branches and the Ladies' Auxiliaries to the Branches within the zone;
- To organize, in conjunction with the District Commander, District and Zone Chairmen, seminars on the subject matter noted hereunder:

Track and Field	Poppy	Legion Seniors Programs
Membership	Youth Education Programs	Veterans Services
Public Relations	Leadership Development	Sports

- To encourage the attendance of members of the Ladies' Auxiliaries in the above-noted seminars;
- To review regulation requirements with branches to ensure that they are complied with and that the Committee Chairmen required by By-Law are appointed or elected:

Legion Seniors	Track and Field
Membership	Leadership Development
Poppy	Veteran Services
Public Relations	Youth Education
Sports	

- To make certain that branches forward the necessary reports and information to the Provincial Headquarters, District or Zone, as requested, i.e., names and addresses of Branch Officers upon completion of branch elections;
- To inform branches that all correspondence requiring a reply should be acknowledged promptly and that the purpose of the correspondence shall be brought to the attention of the general membership;
- To advise the branches of the proper method of submission of honours and awards applications, as noted in the Ritual, Awards and Protocol Manual and this manual; and guidelines posted on the OC Website – [www.on.legion.ca](http://www.on.legion.ca)
- To encourage branches to perform the ritual and ceremonial duties in an impressive manner;
- To caution branches of their obligations to conform to the Liquor License and Gaming requirements (AGCO), Employment Standards Act, and all other government legislation that is applicable;
- To ensure that branches do not endorse any products or promotional schemes in the name of the Legion, lend the Legion name to any sponsorship or provide for the use of the trademarks of the Legion in a manner which is inconsistent with the Trademark policy;
- To ensure that participation by branches in parades or other observances which are not of a municipal, provincial or national nature, obtain approval in writing, of the Provincial President through Provincial Headquarters, prior to participation.
- To attend Provincial Executive Council meetings in November (usually the Saturday following Remembrance Day but depends on which day of the week November 11<sup>th</sup> falls),

Provincial Conventions (held every 2 years in May in the odd year), Dominion Conventions (held every 2 years in August in the even year).

All orders to the provincial command Resale Division submitted by a member of a Zone Council must be processed through the office of the Zone Secretary-Treasurer.

**ONTARIO COMMAND EXPENSE ACCOUNT POLICY**

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## SECTION A

### GENERAL INFORMATION

The Expense Account Policy is an Ontario Command document established to determine expenses that will be compensated to various individuals in the performance of their duties as directed through their various responsibilities. The following procedures are to be followed regarding such expenses.

1. Expenses are to be submitted monthly and/or within **sixty (60) days** following the end of the month in which the expense is incurred; otherwise, they will not be honoured.
2. **All expenses incurred prior to May 31<sup>st</sup> in any year must be submitted to Provincial Headquarters for payment, no later than June 15<sup>th</sup> each year.**
3. There are only two expense account forms on the Ontario Command website at [www.on.legion.ca](http://www.on.legion.ca) under Member Resources. Submit only the **most current** forms.
4. **The Out-of-Pocket Expense Form** is used for claiming expenses. **The Per Diem Voucher** (Per Diem rate currently \$185.00 per day, unless otherwise stated (\$115.00 for rooms and \$70.00 for meals)) is only used when sent out by Provincial Headquarters for specific meetings, Provincial and Dominion Conventions.
5. Both forms must record the date the form was completed, the date that the travel occurred, the Office that you hold with respect to that travel, the purpose of the travel, the kilometres travelled, etc. Receipts must be submitted for air, train, taxi or bus fares, accommodation, postage, (only when applicable) etc. Any claim submitted without the required information will be returned. Please note **all expense forms must be signed**.
6. The Ontario Command Expense Account Policy does not provide for the payment of expenses incurred by any Officer or Standing Committee Chair that **extends beyond the term of office**.
7. Reasonable meal receipts and hotel receipts must accompany an **Out-of-Pocket Expense Form**. **Alcohol and tips / gratuity are not reimbursable expenses**.
8. Any member of the District or Zone, or member of a Provincial Standing Committee residing outside of the District or Zone, will be permitted **mileage from their resident Branch** (not from one's place of residence) for travel within the District or Zone in carrying out the duties and responsibilities of their office.
9. If a **Per Diem Voucher** has been submitted for any meeting that **you were unable to attend**, all funds must be made payable to Ontario Command and returned to Provincial Headquarters within 14 days of said meeting.
10. Any expenses not covered in this policy will be the responsibility of the District, Zone or Individual.
11. All expenses must be submitted to Provincial Headquarters on the **Out-of-Pocket Expense Form** or **Per Diem Voucher**. Any District, Zone or individually fabricated form will be returned to the individual for resubmission on the proper form.
12. When in doubt – ask your Chain of Command before incurring any expenses.

## SECTION B

### PER DIEM VOUCHER

1. The Per Diem rate (currently \$185.00 per day), includes accommodation and meal costs, (\$115.00 for rooms and \$70.00 for meals, unless otherwise stated) and is paid to all members of the Provincial Executive Council to attend PEC (held in November on the weekend following November

- 11<sup>th</sup>. When November 11<sup>th</sup> is close to or on the weekend, the PEC meeting moves to the following weekend), Provincial Standing Committee meetings, Provincial and Dominion Conventions.
2. Two days Per Diem is paid for attending all PEC events during the PEC weekend.
  3. When hotel accommodations are not required, **mileage and reasonable meal expenses may be paid. (alcohol or tips not included)**
  4. Senior Elected Officers, PEC members, Standing Committee Chairs, and Committee members who reside 600 km or more (one way) may be permitted additional expenses (if required with prior approval by Provincial Headquarters). The additional expense shall be made on an **Out-of-Pocket Expense Form** accompanied by the hotel receipt and reasonable meal receipts (**alcohol or tips not included**). This clause does not apply to Provincial and Dominion Conventions.
  5. In extenuating circumstances such as storms, freezing rain, etc., you may be reimbursed should a stop over be necessary and approved by Provincial Headquarters. This claim will be submitted on an **Out-of-Pocket Expense Form** accompanied by the hotel receipt and reasonable meal receipts (**alcohol or tips not included**).
  6. For Dominion and Provincial Conventions, PEC members may claim reasonable accommodation costs in excess of \$115.00 per day (hospitality suites excluded) on an **Out-Of-Pocket Expense Form**. All other expenses not covered under District/Deputy District, Zone Commander sections shall be at the cost of the District or Zone. The **Provincial** President reserves the right to put a ceiling on such additional cost.

## SECTION C

### OUT-OF-POCKET EXPENSE FORMS

1. Mileage is at the Ontario Command rate of \$0.70 cents per kilometre (temporarily). Local bus or taxi fare must include a receipt. Air, train, long distance bus travel must be approved by Provincial Headquarters in advance of travel.
2. If the Officer resides within 50 km, (one way) hotel accommodation may not be claimed other than, PAC meetings, Provincial and Dominion Conventions. Should extenuating circumstances apply prior approval may be granted from Provincial Headquarters. Meal expenses must be reasonable. (**alcohol or tips not included**) **NOTE: Spouse's meal is not included.**
3. Senior Elected Officers, PEC members, Standing Committee Chairs, and Committee members who reside 600 km or more (one way) may be permitted additional expenses (if required and approved in advance by Provincial Headquarters). The additional expense shall be made on an **Out-of-Pocket Expense Form** accompanied by the hotel receipt. This clause does not apply to Provincial and Dominion Conventions.
4. As most documents are sent electronically, reasonable postage may be paid however this does not include the cost of an all-Branch mailing or wide distribution throughout the District or Zone.
5. As most documents are sent electronically, photocopying costs will be limited. The cost of multiple copies for attendees at a seminar or convention will be an expense to the District or Zone.
6. The Date of the Visit including Branch number and name along with the nature of the visit should be included on the Out of Pocket Expense Form.

## SECTION D

### SENIOR ELECTED OFFICER EXPENSES

1. Expenses will be reimbursed to SEO's in the performance of their duties and any additional duties as assigned to them by the Provincial President. Also see Section C.
2. A **Per Diem Voucher** will be honoured for the March and August Finance Committee, PAC and PEC meetings, the December joint LADIES' AUXILIARY meeting and Provincial and Dominion Conventions.
3. The SEO invited to attend a District Convention (as the Ontario Command representative) and SEO's attending their own District Conventions (but not District Council meetings) will be reimbursed reasonable Out-of-Pocket expenses.
4. Invitations for an SEO to attend a Branch, with prior approval from the Provincial President will be reimbursed reasonable out of pocket expenses.
5. 60% of consumables such as black ink cartridges will be reimbursed on an **Out-of-Pocket Expense Form**.
6. Officers who are members of Dominion Executive Council are reimbursed for Dominion events (DEC, Dominion Standing Committees and Dominion Convention) by Dominion Command. Those members not reimbursed in accordance with Ontario Command Policy will be reimbursed any difference by Provincial Headquarters.
7. The Provincial President's expenses to attend other Provincial Conventions are not to exceed \$3,750 each year of the term of office.
8. The expense account policy provides for the Provincial President (or their officially designated representative) to attend a memorial service for a member of PEC, there is no reimbursement of expenses for any other PEC member to attend.
9. Per Diem is paid for the President and 1<sup>st</sup> Vice President to attend LA conventions and the biennial Provincial Service Officers' conference, held at the Provincial Headquarters.
10. Per Diem is paid to the SEO when attending PAC, PEC, Provincial Standing Committee meetings, Provincial and Dominion and the annual joint meeting with the Ladies Auxiliary.

## SECTION E

### DISTRICT COMMANDER EXPENSES

1. District Commanders are reimbursed for travel expenses in the pursuit of their duties and within the areas that are under their jurisdiction from **point of residence**, all other travel outside their District must have prior approval from Provincial Headquarters. The only Officers authorized to represent a District Commander is the Deputy District Commander(s) respectively. Also see Section C.
2. May receive 5 days Per Diem, plus travel allowance and registration to attend Dominion Convention.
3. May receive 4 ½ days Per Diem plus mileage and registration fee for Provincial Convention.
4. May claim expenses to attend their own District Conventions
5. May claim expenses to attend a meeting to organize their own District Convention. (One claim per convention).
6. May claim a maximum of two (2) District Council meetings annually, **that are one day only**, at Ontario Command expense, to be held in conjunction with or prior to the District Convention (a Council meeting shall be permitted subsequent to the Provincial Convention).

7. Are allowed 1 visit per year to other Districts during a term in office at Ontario Command expense for a maximum of three visits during a three-year term in office. (By invitation extended through Provincial Headquarters).
8. May claim expenses to attend seminars in their area. The subject/seminar may only be claimed once.
9. May attend Zone Drumhead Service (within their own District).
10. May attend a **National** Track and Field meet within their own District with prior approval from Provincial Headquarters.
11. District Commanders may attend two District Sports events each year during a term in office at Ontario Command expense.
12. District Commanders must verify expenses and sign the **Out-of-Pocket Expense Form** prior to sending to Provincial Headquarters for reimbursement. Incomplete forms will be returned.
13. Non-Legion functions will not be honoured unless prior permission has been granted from Provincial Headquarters.
14. District Commanders must obtain prior approval from Provincial Headquarters to accept an invitation to a Ladies Auxiliary function (one LA function at Ontario Command expense during the term of office).
15. The Expense Account Policy does not provide the authority for payment of expenses to District Commanders or their representatives to attend area public speaking finals outside of their respective Districts. This is the responsibility of the Youth Education District Chairs only.
16. District Commanders are not authorized to attend District Bursary meetings at Ontario Command expense.
17. When a Dominion sporting event is hosted by a Branch in Ontario, all arrangements are the responsibility of Dominion Command. Any expense associated by a District Officer is an expense of the District. The Provincial President or designate will be the official representative of Ontario Command.
18. Expenses for District **Officers** are an expense to the District in question.
19. Any District **Officer** attending a meeting to plan and organize a District Convention, *will be a District expense*. This responsibility lies with the District Commander.
20. Registration fees to a Dominion or Provincial Convention are restricted to the District Commander.

## SECTION F

### ZONE COMMANDER EXPENSES

1. Zone Commanders are compensated for travel expenses in the pursuit of their duties and within the areas that are under their jurisdiction from point of residence. The only Officers authorized to represent a Zone Commander is the Deputy Zone Commander(s) respectively. Also see Section C.
2. May receive 5 days Per Diem plus registration to attend a Dominion Conventions.
3. May receive 4 ½ days Per Diem plus mileage and registration for a Provincial Convention.
4. Alternates are not permitted unless prior approval from Provincial Headquarters due to extenuating circumstances.
5. May claim expenses to attend seminars in their area. The subject/seminar may only be claimed once.
6. May claim a maximum of two (2) Zone Council meetings to be held annually in conjunction with Zone Conventions.



7. Is restricted to three (3) visits per year to any Branch within the Zone (One (1) visit - Annual Inspection, one (1) visit for elections or installations of Officers and One (1) additional visit for a social functions i.e., Branch Anniversaries, Honours and Awards, Legion Week, Remembrance Day Ceremonies and Banquets. The **Out-of-Pocket Expense Form** must be completed, signed and a copy of the original invitation attached and forwarded to your District Commander for verification and signature. Provincial Headquarters may approve additional visits to a Branch if warranted.
8. May claim expenses to attend District Conventions and District Council Meetings.
9. Non-Legion functions will not be honoured unless prior permission has been granted from Provincial Headquarters.
10. Zone Commanders must obtain prior approval from Provincial Headquarters to accept an invitation to a Ladies Auxiliary function (one (1) LA function at Ontario Command expense during the term of office).
11. When a Dominion sporting event is hosted by a Branch in Ontario, all arrangements are the responsibility of Dominion Command. Any expense associated with a Zone Officer is an expense of the Zone. The Provincial President or designate will be the official representative of Ontario Command.
12. Expenses for Zone **Officers** are an expense to the Zone in question.
13. Zone **Officers** attending a meeting to plan and or organize a Zone Convention, *will be a Zone expense*. This responsibility lies with the Zone Commander.
14. Branch functions are the responsibility of the Branch and do not require a visit from a Zone Commander for organizational purposes.

## **SECTION G**

### **DEPUTY DISTRICT AND DEPUTY ZONE COMMANDERS' EXPENSES**

1. Deputy District Commanders may receive 5 days Per Diem, plus travel allowance and registration to attend a Dominion Convention.
2. Deputy District Commanders may receive 4 ½ days Per Diem plus mileage and registration fee to attend Provincial Conventions.
3. Deputy District Commanders are authorized to attend their own District Conventions and Council Meetings at Ontario Command expense.
4. Deputy District Commanders are authorized to attend seminars in their area. The subject/seminar may only be claimed once.
5. The expenses of a **Deputy Commander** to attend a function that is also attended by the District/Zone Commander are an expense to the **District or Zone**.
6. Deputy Commanders are entitled to expenses from Ontario Command when **deputized** by their respective District or Zone Commanders. The District or Zone Commander must be unable to attend the function on that date. A Deputy District Commander or Deputy Zone Commander may be deputized to attend the following:
  - a) Branch Anniversary Celebrations commencing with the 10<sup>th</sup> year and at 5-year intervals thereafter.
  - b) Presentation of Branch Charters.
  - c) Official Opening Ceremonies of new Branch property.
  - d) Mortgage Burning Ceremonies.
  - e) Legion Week Celebrations.
  - f) Events of historical interest or local celebration in which the Legion Branch plays an integral part.

- g) November 11<sup>th</sup> celebrations, parades, etc.
- h) Zone Conventions or Zone Council Meetings.
- i) In extenuating circumstances, **and subject to prior approval by Provincial Headquarters** a Deputy Zone Commander may attend a Dominion or Provincial Convention when the Zone Commander is unable. The Deputy would receive the same expenses as the Zone Commander.

Although prior approval from Provincial Headquarters will not be required in most instances to be deputized, a copy of the original invitation to the District/Zone Commander to attend the Branch function must be included with the completed **Out-of-Pocket Expense Form**, signed, and forwarded to your respective District or Zone Commander for verification and signature.

## **SECTION H**

### **PROVINCIAL COMMITTEE CHAIRS AND DISTRICT REPRESENTATIVES ON PROVINCIAL COMMITTEES:**

1. Provincial Standing Committee Chairs and District Representatives on Provincial Committees may claim expenses to attend their Committee meetings at Provincial Headquarters. The invitation is sent including a **Per Diem Voucher** from the Provincial Headquarters which is to be completed, signed and returned to the Provincial Headquarters. No need for the District Commander's signature.
2. District representative on a Provincial Standing Committee who **are required** to attend a **District Council/Convention** to give a report may be reimbursed reasonable expenses when an **Out-of-Pocket Expense Form** is completed, signed forwarded to District Commander who will verify and sign before forwarding to Provincial Headquarters. **A copy of the report you are presenting at District Council/Convention must be forwarded to the Provincial Standing Committee Chair in advance of the Council/Convention date.**
3. A District representative when required to visit a Branch **with a specific purpose** may be reimbursed reasonable expenses when **authorized by the District Commander in conjunction with Provincial Headquarters.** An **Out-of-Pocket Expense Form** must be completed, signed and forwarded to the District Commander for verification and signed before forwarding to Provincial Headquarters for reimbursement.
4. District representatives on Provincial Committees will not be reimbursed by Provincial Headquarters to attend a Zone Convention/Council meeting.
5. A District Representative on the Provincial Youth Education Committee may be paid reasonable out-of-pocket expenses, from Ontario Command, when attending a special awards presentation to the winners of the **Dominion Poster & Literary Contest.** Presentation to winners of the Provincial Poster & Literary Contest at the Branch, Zone or District Level is an expense to the Branch, Zone or District.
6. District Standing Committee Chairs may be reimbursed reasonable out of pocket expenses if they are the guest speaker at a banquet with prior approval from Provincial Headquarters.
7. District H&A, C&L and Resolution Chairs are an expense to the District.
8. District Representatives on a Provincial Standing Committee may be reimbursed reasonable out of pocket expenses for conducting their annual seminars at Zone or District level. **The Out-of-Pocket Expense Form** must be completed, signed and forwarded to the District Commander to verify and sign before forwarding to Provincial Headquarters.

## SECTION J

### GUEST SPEAKERS FOR DISTRICT CONVENTIONS

1. District Commanders may submit an official invitation for a Senior Elected Officer (The Provincial President, Immediate Past President, 1<sup>st</sup> Vice-President, three Vice-Presidents, Honorary Treasurer, Chair and Vice-Chair) to be the main speaker at a District Convention. The expenses of **the** Senior Elected Officer may be covered by Ontario Command.
2. Invitations must be submitted on the **Request for Visit by Command Officer Form**, as noted in the Visitation Policy in section "O" of the current Officer's Manual. This form is found on the Ontario Command website ([www.on.legion.ca](http://www.on.legion.ca)) under Forms & Manuals, Committee Forms.

## SECTION K

### CHARITABLE FOUNDATION AND BURSARY COMMITTEE

1. Charitable Foundation expenses may only be authorized by the Corporation. **Out-of-Pocket Expense Forms and Per Diem Vouchers** are sent to the CF President for approval.
2. Members of the CF sub-committee receive one day's Per Diem and mileage to attend the sub-committee meeting in June. The full Board of Directors receives 2 days Per Diem and mileage to attend the November CF Meeting and Annual meeting on the Saturday of PEC.
3. The Expense Account Policy will permit payment of expenses to the Board Directors of the Charitable Foundation when in attendance at District Conventions and District Council meetings, **for the purpose of presenting their reports and promoting the activities of the Foundation**. CF Directors are not members of their District Council by virtue of their appointment to the Foundation and are not entitled to attend Zone Conventions etc., without the **prior approval of the Foundation**. Districts do not have the authority to incur expenses against the Foundation.
4. Members of the Bursary Committee receive one day's Per Diem and mileage to attend the Bursary meeting at the Command Headquarters in June.
5. The expenses of members of the Provincial Bursary Committee when carrying out the duties of their office are an expense to the Charitable Foundation (Bursary).

## SECTION L

### DISTRICT BRANCH ADVISORS AND BOARD OF TRUSTEES

1. Once a District has made a request for a District Branch Advisor through Provincial Headquarters and the District has received approval, reasonable expenses incurred by the DBA will be covered by Ontario Command. **An Out-of-Pocket Expense Form** shall be completed, signed and forwarded to the District Commander for verification and signing before forwarding to Provincial Headquarters. If overnight accommodations are required receipts for same must be attached. Mileage shall be paid at the Command rate of \$0.70 KM (temporarily).
2. **The Chair of a District Branch Advisory Committee** shall be reimbursed by Ontario Command to attend District Conventions and Zone Convention/Council Meetings.
3. **One member of a Branch Board of Trustees** shall be reimbursed by Ontario Command to attend the District Conventions and Zone/Council Meetings.

4. When the Provincial President has implemented a Board of Trustees in a Branch expenses of the **BOT Chair** may be reimbursed by completing an **Out-of-Pocket Expense Form** signing and forwarding directly to Provincial Headquarters. **This must be accompanied with a written report.** Other BOT members may be reimbursed reasonable expenses by completing the **Out-of-Pocket Expense Form** signing and forwarding to the **BOT Chair** for verification and signing before forwarding to Provincial Headquarters. Should overnight accommodations be required receipts for same must be attached. Mileage shall be reimbursed at the Ontario Command rate of \$0.70 km (temporarily).

## **SECTION M**

### **MISCELLANEOUS**

1. Standing Committee Chairs at District Level (Poppy, Sports, Membership, Track and Field, Public Relations, Leadership Development, Youth Education, Veterans Services/ Legion Senior Programs) may be reimbursed reasonable expenses in carrying out the duties of their office as per the Committee's Terms of Reference. An **Out-of-Pocket Expense Form** must be completed and signed before forwarding to the District Commander for verification and signing before forwarding to Provincial Headquarters. If overnight accommodations are required, receipts for same must be attached. Mileage is reimbursed at the Ontario Command rate of \$0.70 km (temporarily).
2. Ontario Command **does not reimburse** District Sports Officers to convene District Sports Events.
3. All Command Officers, Chairs of Provincial Standing Committees, and the Special Section Representative being a Member of a Branch within the District **shall be reimbursed reasonable out of pocket expenses** to attend their respective **District Council meeting or District Convention.**
4. Ontario Command will not reimburse any Provincial Committee Chairs, past District/Zone Commanders, District representatives on Provincial Committees, or District or Zone Officers invited to Branch Installation ceremonies, Branch Openings, Honours and Awards functions or speaking engagements on behalf of the District or Zone Commander. **These are an expense of the District or Zone.**
5. The Provincial Representative attending Provincial Sports Competitions, at the request of the Provincial President, will be reimbursed reasonable out of pocket expenses.
6. Provincial Standalone Positions, as defined in The General By-Laws of the Ontario Provincial Command (GBLO), will be reimbursed reasonable expenses to attend PEC, Provincial and Dominion Conventions.



## THE EMPLOYMENT STANDARDS ACT OF ONTARIO

The Employment Standards Act applies to employees and employers in the Province of Ontario. The Act defines and clarifies who is covered by the legislation, hours of work, minimum wage, statutory holidays, overtime pay, vacation pay, payments on termination, etc. The act sets minimum standards and these minimums may be exceeded by the courts in civil matters, if an employee sues for wrongful or constructive dismissal.

There is a wealth of information available to employers (and employees) on their responsibilities and rights. If you have questions about the Employment Standards Act, you may call the Ministry of Labour's Employment Standards Information Centre – contact information is listed below. Information and publications can be found at the Employment Standards section of the Ministry of Labour's website, [www.labour.gov.on.ca](http://www.labour.gov.on.ca). This website contains fact sheets, the poster "What You Should Know About the Ontario Employment Standards Act", which outlines employees' and employers' rights and responsibilities and which must be posted in the workplace, etc. Another recommended website is the 'Ontario Workplace Gateway', [www.serviceontario.ca/workplacegateway](http://www.serviceontario.ca/workplacegateway). Another resource is <https://www.ontario.ca/document/your-guide-employment-standards-act-0>

### **Employment Standards Information Centre**

Ontario Ministry of Labour

400 University Avenue, 14<sup>th</sup> Floor

Toronto, Ontario M7A 1T7

Tel: (416) 326-7160

Canada Wide 1-800-531-5551

Website: [www.labour.gov.on.ca](http://www.labour.gov.on.ca) (Employment Standards)

Ministry of Labour Health and Safety Contact Centre 1-877-202-0008

### **Notice of Termination**

Before taking any action the Branch should contact its Insurance Company for advice.

Under most circumstances, an employer is required to give written notice of termination. There are exceptions and these include an employee who has worked less than three months, temporary layoffs of less than a certain number of weeks and termination for willful misconduct, disobedience or willful neglect of duty that was not condoned by the employer. The amount of notice required depends on how long the employee has been working for the employer as follows:

- |    |  |   |                  |
|----|--|---|------------------|
| a) | Less than 3 months                       | - | no notice period |
| b) | More than 3 months, but less than 1 year | - | 1 week           |
| c) | More than 1 year, but less than 3 years  | - | 2 weeks          |
| d) | More than 3 years, but less than 4 years | - | 3 weeks          |
| e) | More than 4 years, but less than 5 years | - | 4 weeks          |
| f) | More than 5 years, but less than 6 years | - | 5 weeks          |
| g) | More than 6 years, but less than 7 years | - | 6 weeks          |
| h) | More than 7 years, but less than 8 years | - | 7 weeks          |
| i) | More than 8 years                        | - | 8 weeks          |

If the branch believes that an employee is not entitled to notice, the information should be confirmed through contacting the Employment Standards office - or seek advice from a labour and employment lawyer.

When proper written notice is given, the employee must continue to work during the notice period and the employer must pay the employee his regular wages and any benefits that are normally paid. No "termination pay" is required when proper notice is given.

Where notice is required under the Employment Standards Act but is not given by the employer, "termination pay" or "pay in lieu of notice" must be paid and is equivalent to the pay and benefits that would have been paid, had the proper amount of notice been given.

Termination for cause, reductions of pay, change of duties, etc.

Branches are advised to obtain legal advice and guidance from a lawyer with expertise in labour related matters in advance of any actions which could result in claims of wrongful or constructive dismissal.

A **constructive dismissal** may occur when an employer makes a significant change to a fundamental term or condition of an employee's employment without the employee's actual or implied consent.

For example, an employee may be constructively dismissed if the employer makes changes to the employee's terms and conditions of employment that result in a significant reduction in salary or a significant negative change in such things as the employee's work location, hours of work, authority, or position. Constructive dismissal may also include situations where an employer harasses or abuses an employee, or an employer gives an employee an ultimatum to "quit or be fired" and the employee resigns in response.

The employee would have to resign in response to the change within a reasonable period of time in order for the employer's actions to be considered a termination of employment for purposes of the ESA.

Constructive dismissal is a complex and difficult subject. For more information on constructive dismissal please contact the Employment Standards Information Centre, 1-800-531-5551.

### **Other Sources of Information for the Branch**

#### **Payroll Source Deductions:**

Information on the requirements of an employer to deduct and remit source deductions of Canada Pension, Employment Insurance and Income Tax can be obtained through contacting Canada Revenue Agency (CRA), Source Deductions section. Where a branch has knowingly failed to remit source deductions and the branch is unable to pay, the officers of the branch can be held liable.

### Contacting CRA

Web site: [www.cra-gc.ca](http://www.cra-gc.ca)

Forms and Publications - 1-800-959-2221  
Business Enquiries - 1-800-959-5525  
Local Tax offices - Barrie, Belleville, Hamilton, Kingston,  
Kitchener/Waterloo, London, Ottawa  
Peterborough, St. Catharines, Sudbury  
Thunder Bay, Toronto (4 locations)  
Windsor

### Other Agencies

#### Ontario Human Rights Commission

180 Dundas Street West, 9<sup>th</sup> floor  
Toronto, Ontario, M7A 2R9  
Telephone: (416) 314-4500  
Web site: [www.ohrc.on.ca](http://www.ohrc.on.ca)

#### Occupational Health and Safety Inquiries

For occupational health and safety-in person, mail and fax inquiries, contact the Ministry of Labour office closest to you.  
Province-wide: 1-800-202-0008  
[www.labour.gov.on.ca](http://www.labour.gov.on.ca) ( Health and Safety section)

#### Ontario's Workplace Safety and Insurance Board ( WSIB)

Ground Floor – 200 Front Street West  
Toronto, Ontario  
M5V 3J1  
Telephone: (416) 344-1000  
Toll free: 1-800-387-0750  
[www.wsib.ca](http://www.wsib.ca)

### Employer Health Tax

Ontario Ministry of Finance  
95 Grosvenor Street  
Toronto, Ontario  
M7A 1Y8  
Toll Free: 1-888-668-8297  
web site information: [www.ontario.ca](http://www.ontario.ca)



## **Record of Employment (ROE)**

Consult with <https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/ei-roe.html> for the latest legislation and how to complete a Record of Employment.

Generally, you have to give your employee a record of Employment (ROE) **within 5 days** of the date he or she stops working for you, although new rules may change this deadline if you file your ROE electronically. When the employee stops working for you, it is considered an interruption of service, and includes situations where employment ends or the employee leaves because of:

- pregnancy
- injury
- illness
- Adoption leave
- layoff
- leave without pay
- dismissal

The employee needs the ROE to file a claim for Employment Insurance (EI) benefits. It is used to determine if he is entitled to EI benefits, and for how long.

To create a ROE for your employee, you can use Service Canada's on line ROE –Web service, or complete Form INS2106, Record of Employment (ROE). For more information on how to complete a record of Employment go to <https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/roe-guide.html>

### **NOTE**

When completing the ROE you will have to determine the number of insurable hours. Also, there are consequences for not filing the ROE.

**We strongly suggest that you visit the Service Canada web site for further information.**

## **WHAT YOU SHOULD KNOW**

### About the Ontario Employment Standards Act

The Employment Standards Act, 2000, known as the ESA, is a law that sets minimum standards for workplaces in Ontario, you are probably protected by the ESA. It does not cover employees in federal jurisdiction and persons in a few other special categories. There are exceptions and special rules for some employees and not all employees qualify for all ESA rules.

#### **Your Rights and Responsibilities at Work**

Employers cannot intimidate, fire, suspend or otherwise punish an employee, or threaten any of these actions because the employee asks for or asks about their ESA rights. If an employee thinks that an employer is not following the ESA law, he or she can contact the Ministry of Labour for help.

Branches are encouraged to develop a policy regarding Workplace Violence/Harassment. Information is available on the Provincial website. [www.on.legion.ca](http://www.on.legion.ca)

**NOTE:** Unionized employees should talk to their union representative before contacting the Ministry of Labour if they think their rights have been violated.

For the latest legislation and information on Hours of Work, Rest Periods, Overtime Pay, Termination Pay and Minimum Wage consult <https://www.ontario.ca/document/your-guide-employment-standards-act-0>

**Note:** The minimum wage is different for students, liquor servers, homeworkers, and hunting and fishing guides.

**Payday** – Employees must be paid on a regular, recurring payday and given a statement showing their wages and deductions for that pay period.

**Vacation Time and Pay: Ontario Legislation Bill 148 introduced 1 January 2018** - Most employees earn at least 2 weeks of vacation time after every 12 months. Employees are entitled to be paid at least 4 per cent of their total wages earned as vacation pay. Ontario's Employment Standards Act gives most people the right to 2 or 3 weeks of paid vacation in a year. They earn their vacation by working 12 months for the same employer.

If they've worked less than 5 years for the employer, they get 2 weeks of vacation in a year.

If they've worked 5 years or more for the employer, they get 3 weeks of vacation in a year.

Some workers may get more paid vacation, based on what their employer agrees to give them or what's in their collective agreement.

**Public Holidays** - Consult with <https://www.ontario.ca/document/your-guide-employment-standards-act-0/public-holidays> for the most up to date legislation on Public Holidays. Currently Ontario has nine public holidays every year (New Year's Day, Family Day, Good Friday,

Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, and Boxing Day December 26).

**Leaves of Absence** – For leave of absence entitlements - consult the Guide to the Employment Standards Act for the most current legislation. <https://www.ontario.ca/document/your-guide-employment-standards-act-0>

**Termination Notice and Pay** – Generally if an employee has been working for 3 months or more and his or her job is terminated, the employer must give the employee advance written notice, or termination pay instead of notice, or a combination of both. Consult with <https://www.ontario.ca/document/your-guide-employment-standards-act-0> for the latest legislation.

### **Contact the Ministry of Labour for More Information**

Call 416-326-7160, toll free 1-800-531-5551 or Hearing Impaired TTY 1-866-5678893

[www.labour.gov.on.ca](http://www.labour.gov.on.ca)

Employment Standards claim forms can be obtained by visiting a Service Ontario Centre, to locate a centre near you, call 1-800-267-8097.

## **INCOME TAX ACT – NON - PROFIT ORGANIZATIONS**

We are often asked about the status of Royal Canadian Legion branches. The Royal Canadian Legion is a non-profit organization. While some of our programs are charitable in nature, we are not a registered charity because we do not operate exclusively for charitable purposes and devote only part of our resources to charitable purposes. Many branches register their poppy funds as a registered charitable fund and may issue registered receipts for donations to the poppy fund but only the poppy fund. In this instance, only the poppy fund would be considered as the registered charity and donations to the branch for general fund purposes would not permit the issuance of a tax deductible receipt.

The Income Tax Act provides exemption from income tax to non-profit clubs on a conditional basis. The conditions set out in Section 149(1)(1) are as follows:

1. The association must not, in the opinion of the Minister, be a charity as defined in subsection 149.1(1);
2. The organization must be organized and operated exclusively for social welfare, civic improvement, pleasure or recreation or for any purpose except profit;
3. No part of its income may be payable to or otherwise available for the personal benefit of any proprietor, member or shareholder, except in connection with the promotion of amateur athletics in Canada.

The Department has however noted that it is of the view that an association is not operated exclusively for non-profit purposes when its principal activity is the carrying on of a trade or a business as follows:

- a) It is a trade or business in the ordinary meaning, that is, it is operated in a normal commercial manner;
- b) Its goods or services are not restricted to members and their guests;
- c) It is operated on a profit basis rather than a cost recovery basis;
- d) It is operated in competition with taxable entities carrying on the same trade or business.

Section 10(2) of the Act to Incorporate is consistent with the requirements to maintain one's non profit status under the Income Tax Act. It specifies that, on the dissolution of any branch, the property of the branch shall not be distributed to or for the benefit of the members. Section 10 provides for all of the assets and accumulated income of a dissolved branch to be transferred to an organization with similar objects that qualifies for the exemption.

While an association may earn income in excess of its expenditures (provided that the requirements of the Income Tax Act are met), if a material part of the excess is accumulated each year and the balance of the accumulated excess is greater than the reasonable needs to carry on its non profit activities, the department could consider that the association operates for profit.

## **Note #1:**

Non-Profit Organizations (Legions) are required to file an Annual Information Return (T1044) if they receive more than \$10,000.00 in dividends, interest, rentals or royalties in any given year, or, if they have assets with a book value of more than \$200,000.00.

Total assets are to be measured by generally accepted accounting principles which precludes writing down assets to a nominal amount and disclosure will include information on the activities of the organization and sources and amount of revenue and, further;

Will continue to file annually even if their revenues and assets are reduced significantly in any given year.

## **IMPORTANT:**

The responsibility for the filing of an Annual Return, rests with the officers of the Branch.

## **Note #2**

The discussion above refers only to the exemption from income tax of non-profit organizations which meet the conditions outlined in section 149(1)(1) of the Income Tax Act. It does not exempt branches from collecting other forms of tax, such as HST, or from withholding or remitting employer and employee source deductions from pay and Employment Health Tax.

## **REFERENCE MATERIAL**

The Income Tax Act

Interpretation Bulletin #496R (see web site, forms and publications, technical publications –tax)

Interpretation Bulletin #83R3

Web site address - The bulletins listed above can be downloaded from the following web site: [www.cra-arc.gc.ca](http://www.cra-arc.gc.ca) by clicking on forms and publications, then document type, then interpretation bulletins.

## **LADIES' AUXILIARY**

The General By-Laws of the Ladies' Auxiliary to the Ontario Provincial Command is updated every two years following convention. All changes of auxiliary policy and administrative procedures resulting from resolutions passed or by-law amendments enacted by conventions shall, unless otherwise specified, take effect following the approval by Ontario Provincial Command. By-Laws are approved by Ontario Command and since there should be nothing in these By-Laws which are inconsistent with the General By-Laws of Ontario Command, Branches and Ladies' Auxiliaries to branches are expected to conform to the By-Laws.

### **Membership**

Membership is open to any female Canadian citizen or Commonwealth subject of federal voting age who supports the purposes and objects of the Legion and undertakes to support the activities of the Legion especially the annual Poppy Campaign.

No anarchist, communist or fascist shall be permitted to become a member, nor shall any person who advocates the destruction by force of the duly constituted Government of Canada, or any person proven to advocate, encourage or participate in subversive action or subversive propaganda, be permitted to become a member. Dominion Command may define the terms anarchist, communist, fascist and subversive.

Applications that are proposed and seconded by members in good standing shall be considered to join a Ladies' Auxiliary to a branch of the Ontario Command with full voting privileges.

Applications for membership must be presented to the General Meeting for approval and the vote taken is by secret ballot.

### **The Executive Committee of a Ladies 'Auxiliary (Branch level)**

- The Term of Office for Auxiliaries shall be for a period of one (1) year from June 1 to May 31. Should the Branch Regulations of a Branch make provisions for a two (2) year term of Office, the Auxiliary, with their Branch's permission, may choose either a one (1) or two (2) year Term of Office;
- The Officers of an Auxiliary shall be the President, Immediate Past President, Vice-Presidents with 3<sup>rd</sup> Vice being optional, Treasurer, Secretary (Recording and or/Corresponding); Sports Officer
- A member shall be required to serve one term on an auxiliary executive to be eligible to be elected President or Vice-President and shall be required to hold membership in an auxiliary for a period of one year to be eligible for election to the auxiliary executive;
- No salaried officer of the Ladies' Auxiliary shall be eligible to hold any elected office in the Ladies' Auxiliary;
- No member shall simultaneously hold more than one elected Office at the same level within the Ladies' Auxiliary;
- A Branch may at its discretion allow Ladies' Auxiliary members employed by the branch to hold office in the Ladies' Auxiliary;

- The installation of officers shall take place prior to June 1<sup>st</sup>.

### **Dues/Per Capita Tax**

The current annual per capita tax collected from the total number of members as determined by the paid up membership as of December of the past year shall be forwarded to the Provincial Secretary-Treasurer by the 31<sup>st</sup> day of January of the following year.

The per capita remittance shall be submitted under cover of the Per Capita Tax Form which shall have been completed and duly signed by the President, Treasurer, and Secretary of that Auxiliary.

### **New Auxiliaries**

Upon the approval by the membership at a General Meeting of the Branch of an application supported and submitted on behalf of twelve (12) or more female persons, who have paid the present per capita tax/dues, the Branch Secretary shall forward the application to Provincial Command.

### **Auxiliary Meetings**

- Auxiliary branches shall hold at least ten General meetings a year, months to be determined by motion at a general meeting;
- A quorum for the purpose of holding a General meeting shall be a majority of the executive committee plus 5 % of the total members ( including Life Members) in good standing for the transaction of business;
- Nomination and election of officers and executive committee of the Ladies' Auxiliary Branches shall be held at the same meeting, at either the April or May general meeting.

### **Audit and Financial**

- The books of the Auxiliary branch shall be audited with a copy of the financial statement to be provided to the Legion branch;
- The Auditors shall not be:
  - (a) Members of that Auxiliary Executive Committee;
  - (b) Employees of any level of the Ladies' Auxiliary
  - (c) Related by blood, marriage or common-law relationship to the Treasurer
- The financial year for the Ladies' Auxiliary shall be June 1<sup>st</sup> to May 31<sup>st</sup>.

## Ritual and Awards

- Applications for Meritorious Service and Palm Leaf awards shall be submitted electronically and/or by paper copy. Completed applications shall be forwarded to the Provincial Secretary/Treasurer, Ladies' Auxiliary. (Copy to be retained on file at Ladies' Auxiliary level);
- For outstanding Auxiliary and/or branch service, any member may be admitted into the Life Membership category after 20 years of continuous membership, prior to the date of nomination by the Auxiliary of which she is a member. The application must include a citation accompanied with a copy of the exact motion and date from the minute book where it was duly moved, seconded and approved by the General Membership Meeting. Retain a copy for Auxiliary file.
- Past President and Past Officer medals and lapel Service badges may be ordered through the central supply system at Dominion Command. Orders may be placed with the supply department at Dominion Command as follows: 86 Aird Place, Ottawa, Ontario K2L OA1, Fax # 1-613-591-8462, Toll free – 1-888-301-2257, supply@legion.ca. Although, the application does not need to be sent to the supply department, 'application for awards in recognition of past service' must still be completed and approved by the Ladies' Auxiliary and retained for record purposes in the files of the Ladies' Auxiliary.
- A dual member (a lady who holds membership in both the Ladies' Auxiliary and the branch) shall wear Auxiliary Dress (i.e. blazer with Ladies' Auxiliary crest, tie and Auxiliary medals) when attending an Auxiliary function and shall wear Legion Dress (i.e. blazer with appropriate Legion membership crest, Legion tie and medals) when attending an Legion branch function. Medals awarded by the Ladies' Auxiliary may be worn on the Legion uniform on the right breast, after all Legion awards, as per the 1998 Dominion Convention. Legion medals may not be worn on the Ladies' Auxiliary uniform.
- At the funeral services of deceased Ladies' Auxiliary member, the beret may be placed on the casket by the President of the Ladies' Auxiliary to the branch or her representative. The Canadian Flag and Auxiliary Banner may be present.
- Poppies may be placed on the casket of a deceased member of the Ladies' Auxiliary only if she was a Veteran or ex-service personnel.
- For all other members a Red Maple Leaf may be used.
- Ladies' Auxiliary Officers will be required to salute following the laying of wreaths at War Memorials.



### The relationship of the Branch and the Ladies' Auxiliary

- Each auxiliary shall be under the jurisdiction of the Legion branch, provided the Regulations of the branch are in accordance with the General By-Laws of The Royal Canadian Legion. Such jurisdiction, including requests for financial assistance made to the auxiliary shall be exercised by a General Meeting of the Legion branch. These requests must be in writing;
- The branch will appoint a Liaison officer who may at the discretion of the branch attend the Executive Committee, Special General and General meetings of the auxiliary. The Liaison Officer should attend the meeting as an observer and not engage in debate. The Liaison Officer is a communication link between the branch and the auxiliary and may update the Ladies' Auxiliary on branch initiatives and reports back any issues of concern and information items to the Branch President and the Executive of the Branch;
- The Liaison Officer must be a member of the branch executive, shall not be the Branch President (who cannot report to himself) and where possible is not an Ladies' Auxiliary member (who might find herself in a conflict of interest position on various issues);
- The Liaison Officer exerts no authority or jurisdiction over the Ladies' Auxiliary;
- Where a dispute (that cannot be resolved by agreement between the President of the branch and the President of the Ladies' Auxiliary) has arisen, a committee, composed of 3 members of the branch and 2 members of the Ladies' Auxiliary, shall be appointed to hear the evidence in the dispute and report the findings and recommendations to the branch executive committee;
- Any decision rendered by the Branch Executive Committee shall be subject to the approval of members of the branch, at the next general membership meeting of the branch and the Ladies' Auxiliary to a branch may file an appeal of the decision to the Provincial Headquarters;
- The Executive committee of a Branch and the Executive committee of its Ladies' Auxiliary are required by Section 1203 (1) of the General By-Laws of Ontario Command to hold a joint meeting **at least twice each year**. The intent of these meetings is to share information and resolve issues that affect either organization. The meeting should be thought out in advance with both parties offering agenda items and all members attending should be given the opportunity to express their concerns or issues;
- The Ladies' Auxiliary are an integral part of the Legion and should be accorded respect and courtesy in all dealings, including the privilege of parading their banner in Legion Colour parties;
- Branches should maintain a mail slot or other system for the receipt of mail directed to the Ladies' Auxiliary to ensure the Auxiliary receives its mail in a timely fashion. The mail directed to the Ladies' Auxiliary should not be opened by the branch;
- When a branch charter is surrendered, suspended, cancelled or revoked, the charter of its Ladies' Auxiliary shall be simultaneously surrendered, suspended, cancelled or revoked.

### Lottery

- All funds derived from bingos, draws, break-open ticket, etc., under licenses issued to a Ladies' Auxiliary to a branch shall be deposited in a separate lottery account(s) and **are not available to the branch for any purpose**.

## **Miscellaneous**

- Ladies' Auxiliary presidents must have permission from the general membership of the Ladies' Auxiliary to request the presence of Provincial officers or Zone Commanders for social functions, elections and installation of officers (expenses to be paid by the auxiliary);
- The Ladies' Auxiliary, Provincial Command may request the surrender of the Charter of a Ladies' Auxiliary when the auxiliary fails to maintain sufficient membership to fill the officer positions and to establish a quorum. Members may transfer to another auxiliary.
- Upon amalgamation of two branches and two auxiliaries the amalgamated branch and auxiliary may apply for new Charters, with the original Charter date being the date of the oldest Branch and the oldest Auxiliary respectively.



## LIQUOR LICENCE REGULATIONS

The best and most up-to-date information on liquor licencing and registration can be obtained through contact with the Alcohol and Gaming Commission of Ontario (AGCO) as follows:

Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue, Suite 200-300  
Toronto, Ontario M2N 0A4  
Tel: 416 326-8700  
Toll free in Ontario: 1 800 522-2876  
Fax: 416 326-5555  
Website: [www.agco.ca](http://www.agco.ca)

It is recommended that you download (from the website noted above) and print the document titled "Liquor Sales Licence Guide" as it will include all the details of your responsibilities and other information that may not be included in this section.

AGCO services for Ontario's Liquor Sales Licence Holders are now 100% online. You will complete all of your alcohol-related transactions online, this includes new applications, renewals, changes payments, etc.

When making an application for a new licence or a renewal, you now have the option of a two or four-year term.

You must first create an account and login. All payments under \$30,000 must be made by Visa, MasterCard, *Interac* Online, Visa Debit or MasterCard Debit. **(NOTE: The Bank of Montreal no longer offers the Interac online payment service. For more information, please contact your BMO branch or the telephone number on the back of your card.)**

**Failure to remit sales tax or gaming violations can result in the loss of a branch's liquor licence.** The AGCO is required to propose to revoke a liquor licence or refuse to renew or transfer a liquor licence for non-payment of HST. When the AGCO receives an application, the information is transmitted electronically to the Ministry of Finance. If the applicant is behind in HST payments, the Ministry of Finance will notify the applicant of the situation and advise the licensee that they are responsible for clearing any outstanding HST amounts prior to a licence being issued. At the same time the AGCO is notified electronically.

### **Types of licences issued by the AGCO**

The AGCO issues a number of types of licences, including the following which are applicable to Legion branches:

1. The Liquor Sales Licence: All licenced establishments-such as bars, restaurants, clubs and taverns-are licenced under this single class of licence.

The holder of a Sales Licence may sell and serve liquor in a licenced establishment where light meals\* are available. When a Sales Licence is combined with an endorsement, the licence holder may sell and serve alcohol under specific circumstances.

\*For current definition refer to the Licence Act Regulation 719 Section 35.1 or check with your local liquor inspector for definition of 'light meals'.

## 2. Special Occasion Permits

A special occasion permit (SOP) is required to sell liquor at special occasions such as weddings, charity fundraisers and receptions. A special occasion permit will only be issued if the event is not intended to be held for gain or profit. Special occasion permits are issued from Liquor Control Board of Ontario stores.

A special occasion permit may be issued for an event at a licenced establishment. The applicant and the event need to meet the established criteria, the liquor used for the event has to be purchased under the authority of the SOP and not from the licence holder, and the conditions applied to the licence of the particular establishment would continue to apply under the SOP.

The holder of a Liquor Sales Licence may apply for an SOP for such events as staff parties, family parties and private receptions, provided the event is not advertised to the general public, limited to invited guests and there is no intention to gain or profit from the events.

For more information on SOPs, check the AGCO website, listed above.

## **Applications for a Liquor Sales Licence**

To get a Liquor Sales Licence you must make an application online. You will be required to include other documents, such as floor plans. All required documentation is noted on the application process. [www.agco.on.ca](http://www.agco.on.ca)

## **Renewal of a Liquor Sales Licence**

Licensees must complete the renewal application along with the appropriate alcohol licensing fees prior to the expiry date.

If your application and fee are received on or before the expiry date, you will receive a Renewal Confirmation Notice allowing you to operate until you receive your licence.

If your renewal application is not received by the expiry date on your liquor licence, your licence will expire, and you can no longer sell or serve alcohol. Expired liquor licences cannot be

renewed. Keep in mind that you are prohibited under the *Liquor Licence Act* from selling/serving alcohol without a valid liquor licence.

If your Liquor Sales Licence has expired, you must complete and submit a new Liquor Sales Licence Application, which will result in you receiving a new licence number.

Please note that your liquor sales licence renewal application will not be processed if your establishment owes money to the Ministry of Finance (retail sales tax). It is your responsibility to contact the Ministry of Finance at 1-866-668-8297 to determine if you owe any money. If you do, you must make arrangements to pay the outstanding amount.

Your liquor sales licence renewal application will also not be processed if there has been a change of ownership at the establishment that has not been previously reported to the AGCO. If such a change has occurred, you must submit a liquor sales licence transfer application to the AGCO.

### **Fees for getting liquor licences**

All application fees must be received by the AGCO before an application can be processed. If an application is withdrawn, or if the AGCO refuses to issue the licence for any reason, the application fee is non-refundable.

The fee for a new (two-year term) Liquor Sales Licence is \$1,055, where the application must be advertised, and \$925 for an application exempt from the advertising requirement. For a four-year term the fees are \$1,355 and \$1,225 respectively.

The AGCO will determine, based on the Liquor Licence Act, whether changes to existing licensed areas or additions that are not currently licensed require public notice. The AGCO will inform you whether your application requires public notice.

Public notice of a Liquor Sales Licence has two parts:

1. A placard (poster) will be mailed to you. The placard must be posted for the number of days specified at the premises in a location where members of the public can easily read it from the outside of the premises. The placard will specify whether the application is for indoor and/or outdoor licensed areas.
2. A notice of application will also be posted on the AGCO website at [www.agco.ca](http://www.agco.ca)

The renewal fee is \$300 for a two-year term and \$600 for a four-year term.

To transfer an existing licence, the fee is \$1,000.

### **Renovating or Changing Licenced Establishments**

Licensees with valid liquor sales licences may apply to the AGCO for additional licenced areas and/or building alterations to an existing licence. You can make the following changes to a licenced establishment without AGCO approval:

- Change to the decor.
- Installation or relocation of doors.
- Creation of openings to existing walls/partitions that separate the licenced and unlicenced area, providing after the change, the partition and/or wall is 36"/.9M or higher.
- Changes that do not reduce the separation between the licenced and unlicenced areas to below 36"/.9M high.
- Removal of wall openings, arches, etc., to combine two or more areas into one.
- Installation or removal of windows.
- Installation or removal of weather breaks, buffets, or server stations.

For all other alterations, such as adding licenced areas or increasing seating capacity in existing licenced area, an official application must be submitted to the AGCO for approval and may involve additional licensing fees.

### **Transferring a Liquor Licence**

All liquor sales licences are issued to either a person, a business partnership or a corporation, for operation at a specific location. It is the owner as registered with the AGCO who is responsible for the on-going operation of the licence.

Ownership changes (more commonly referred to as a licence transfer) must be approved by the AGCO. An application must be submitted for approval BEFORE the change is made. Licence transfers fall into two general categories:

1. A 100% change in ownership from that currently registered with the AGCO; or
2. A partial change in ownership from that currently registered with the AGCO.

### **Moving liquor to a new location**

Application must be made for a new liquor licence at a new location. The liquor purchased from your existing premise has been purchased under your current licence and taking the liquor to a new location is not allowed. Well before you move your location you should check with your local LCBO store to advise how to change your existing purchases to a new licence.

### **Signage Requirement**

As of February 2005, the Liquor Licence Act requires bars and restaurants to post signs warning women that drinking alcohol during pregnancy can cause Fetal Alcohol Spectrum Disorder. The warning must be posted at least 8 by 10 inches in size, to be printed in landscape format (horizontally). It must be prominently displayed in all locations where beverage alcohol is sold. Failure to comply with the signage requirements is an offence under the Liquor Licence Act. The sign can be downloaded from the following site: [www.agco.ca/alcohol/signage-requirement-sandys-law](http://www.agco.ca/alcohol/signage-requirement-sandys-law)

## **Server Training**

The Smart Serve Training Program is **mandatory** for the following individuals:

- New liquor sales licence holders, including new licence applicants, licence transfer applicants and temporary transfer applicants intending to operate establishment. In addition to licence holders, all managers, servers of beverage alcohol and security staff must hold Smart Serve certificates.
- Stadium licensees, their manager, servers and security staff;
- Course marshals and employees dispensing liquor from vending carts on golf courses that hold a Golf Course Endorsement;
- Holders of caterer's Endorsements and servers working at catered events; and
- Where ordered by the board (i.e. disciplinary cases).

The AGCO still recognizes the Server Intervention Program certification issued prior to May 1995. The Smart Serve® Ontario training is available online. You can complete it individually or in a group in-class session, offered by an Organization. All Final Tests are proctored and must be completed online.

For more information please visit: [www.smartserve.ca](http://www.smartserve.ca).

Head Office:

Smart Serve Ontario  
5407 Eglinton Avenue West, Unit 105  
Toronto, ON M9C 5K6

Tel: 416-695-8737  
Toll Free: 1-877-620-6082  
Fax: 416-695-0684

Website: [www.smartserve.ca](http://www.smartserve.ca)  
E-Mail: [info@smartserve.ca](mailto:info@smartserve.ca)

## **Hours of Service**

Liquor may be sold and served during the following hours:

Licensed establishments and Special Occasion Permit events:  
Monday to Sunday: 9 a.m. to 2 a.m.  
New Year's Eve (December 31): 9 a.m. to 3 a.m.

The licensee or permit holder may choose shorter hours of operation and restricted hours of sale and service may be established as a condition of the licence.



Serving hours remain the same on federal, provincial and municipal election days.

### **Legal Drinking Age and Legal Serving Age**

The legal age to drink alcohol is 19 years old. The legal age to serve alcohol in a licenced establishment is 18 years old. “Serving alcohol” includes taking drink orders, taking payment for alcoholic beverages, stocking the refrigerator or bar area, and bartending.

Acceptable forms of age identification are:

- Ontario driver’s licence with photo to whom the licence was issued;
- Canadian passport with a photo;
- Canadian Citizenship card with a photo of the person to whom the card was issued;
- Canadian Armed Forces Identification Card with a photo;
- Liquor Control Board of Ontario BYID photo card,
- A Secure Indian Status Card issued by the Government of Canada,
- A Permanent Residence Card issued by the Government of Canada,
- A photo Card issued under the Photo Card Act, 2008

### **Advertising**

The Liquor Licence Act states that no person shall advertise liquor except in accordance with the regulations enacted pursuant to the Act. Section 87 of Regulation 719 and section 5 of Regulation 720 under the LLA permit the holder of a liquor sales licence or a manufacturer of liquor to advertise liquor within specified criteria and in accordance with these guidelines. These guidelines focus on specific concerns regarding advertising liquor and provide interpretations of the various criteria set out in the regulations. The notes following each guideline assist in interpretation and are by no means exhaustive in their scope.

### **Price Discounting**

A licenced establishment may not offer liquor free of charge or at discounted prices.

**Responsible drink price flexibility is permitted.** A licensee may vary the purchase price of liquor as long as it remains above the minimum price, whether offered in combination with food or other goods or services, such as ‘wine with dinner’, ‘beer with wings’, or ‘a cocktail with a spa treatment’ for a specified time. For example, a licensee may offer a different price for martinis on a certain day or a different price for domestic beers, house wine and bar shots during a certain period of a day as long as the cost of the liquor itself remains at or above the minimum price. It is important to remember that licensees are prohibited from requiring patrons to purchase liquor to enter or remain on the premises and are therefore required to offer other goods and services that do not require the purchase of alcohol.

**Drink prices may not be based on the purchase of other drinks.** A licensee is not permitted to offer a difference in the price of liquor which is contingent on another purchase of liquor or is

offered at regular intervals. For example, promotions such as ‘2 for 1 drinks’, ‘2<sup>nd</sup> drink is ½ off’ or ‘every 3<sup>rd</sup> drink is \$2’ are prohibited under all circumstances.

### **Ontario’s Liquor Laws at a Glance**

As the holder of a Liquor Sales Licence or Special Occasion Permit, it is your responsibility to know and understand Ontario’s Liquor Laws.

#### **DON’T:**

- Let people under the age of 19 drink.
- Encourage excessive drinking or serve alcohol to anyone you suspect may already be intoxicated.
- Permit drunken, quarrelsome, violent or disorderly conduct.
- Permit anyone in a licenced establishment to hold, sell, distribute or use illegal drugs.
- Serve smuggled, home-made or watered-down liquor.
- Allow guests to take out or bring in liquor.
- Raffle liquor or hold contests that involve buying, drinking or winning liquor.
- Discount the price of alcoholic beverages.
- Sell liquor from a vending machine.
- Allow noise from the premises to disturb the neighbors.

#### **DO:**

- Make sure that you understand the *Liquor Licence Act and Regulations*.
- Encourage responsible drinking.
- Post your Liquor Sales Licence or Special Occasion Permit.
- Train your staff in responsible serving practices. Have all staff take the Smart Serve responsible service program.
- Serve alcohol only within the allowed hours.
- Serve and promote food and a variety of non – alcoholic drinks.
- Sell only liquor that was brought on your licence or permit through the Liquor Control Board of Ontario (LCBO), Brewers Retail, or Ontario Wine Stores.
- Make sure that the number of people on the premises is within the lawful capacity.
- Ensure that the premises comply with all zoning by-laws.
- Check the identification of people you suspect are under 19 years of age.
- Ensure that employees serving liquor are at least 18 years of age.
- Create and enforce house policies that promote responsible serving and moderate drinking practices.

## HOUSE POLICIES

Branches are encouraged to formulate their own policies on how they wish to run their licenced establishment. In order for such policies to be officially accepted you must do the following: (1) prepare the policy, (2) have it approved at a General Meeting, (3) attach a copy of the approved policy to the Minutes of that meeting and (4) send it to the LLBO for their comments, approval and records.

### SUGGESTIONS FOR AREAS THAT SHOULD BE COVERED IN THE POLICY

1. Restrict access to allow only Members, Affiliate Voting and Non – Voting Members and Ladies Auxiliary and their signed in guests.
2. State a policy under which you would allow minors into your Branch and the restrictions on where they may go within the Branch and any time restrictions you may wish to apply.
3. Draw up a Hall Rental agreement which not only includes cost, but also includes policies, making particular mention of underage drinking, the monitoring that you are doing, and let them know that the person who signs the permit will be held responsible for any infractions. This may not stand up in court, but it may make the renter more vigilant.
4. Provide a policy that gives bartenders authority to refuse to serve a person suspected of being intoxicated or cutting them off. Also provide for imposing penalties on anyone who supplies drinks to someone who has been refused to be served. There should be a visible sign at the bar to this effect (with the bartender's authority on it).
5. Provide for closing down the bar if there is a major disruption or incident, including the right to call police. Act at once to prevent the situation from getting out of control, but never use force. Bar to be closed until the situation is returned to normal.
6. The mandatory training course must form part of the policy and must also be part of any contract that you may have for employing bartenders. It should cover who should pay for the course and whether the Branch will pay wages during the training period.

**Maintain an incident log book.** Make it mandatory to be filled in by each shift and to be signed by the bar tender on duty. All incidents are to be reported on anything that might need to be clarified at a later date, such as having to refuse someone a drink, or having to cut someone off. Weather conditions should always be shown. Impress on the bar tenders that this is for their own protection. **For those that are insured by PIB Insurance, logs books are available free of charge, by contacting your local representative. We strongly recommend that you have them on hand and use them on a daily basis.**

## LOTTERY

The best and most up-to-date information on lotteries can be obtained through contact with the Alcohol and Gaming Commission of Ontario (AGCO) as follows:

Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue, Suite 200-300  
Toronto, Ontario M2N OA4  
Tel: 416 326-8700  
Toll free in Ontario: 1 800 522-2876  
Fax: 416 326-5555  
Website: [www.agco.ca](http://www.agco.ca)

AGCO services for Ontario's Lottery Licenses now are fully online using <https://www.agco.ca/iagco> . Currently, the Branch is able to complete the applications and reporting forms online and print them off to then be given to the appropriate authority (local municipalities in most cases.) The login will be the same login that is used for the Branch Liquor License requirements.

Types of lottery licences that Branches could be interested in are:

Break Open Tickets (BOT)  
Bingo  
Raffle (single type or blanket)  
Catch the Ace

### **QUICK FACTS ABOUT LOTTERIES THAT YOU SHOULD KNOW:**

1. The Alcohol and Gaming Commission (AGCO) is responsible for licensing any lottery events in excess of \$ 50,000.00.
2. Municipalities are responsible for licensing any lottery event under \$ 50,000.00. There are exceptions when a municipality does not have a licensing officer, or where the Branch is located in an organized area with no municipal government or a Canadian Forces Base, the applicant would then have to apply to the AGCO for the licence.
3. The definition of a Lottery Scheme – is defined as any scheme which has the following three components: a prize, a chance to win a prize and a consideration for a fee. If all of the foregoing conditions apply a licence is required. It is the responsibility of applicant to complete the necessary paperwork to obtain a licence.

4. Each licensee (the Branch being the licensee) is responsible to ensure that all Terms and Conditions are followed when conducting any licensed event.
5. Break Open Tickets (BOT's) may be sold in conjunction with another gaming event (i.e. bingo) providing the licence is obtained from the AGCO.
6. **Branches are not eligible for any funds derived from lottery events conducted by the Ladies' Auxiliary.**
7. Once a lottery has begun, it must continue and cannot be stopped mid-stream.
8. Each licensee must guarantee the prizes of any lottery.
9. Each licensee is responsible to ensure all prizes are presented and must notify the winners in a timely manner.
10. All proceeds derived from lotteries must be kept in a lottery trust account and must be in Canadian Funds with the exception of a Bingo Sponsor's Association.
11. A licensee must never exceed the allowable expenses allowed under any licence. Review the Terms of Condition of the licensed event. In the case of BOT's, refer to the Schedule of Approved Break Open Ticket types and associated expense maximums on the AGCO's website.
12. It is the responsibility of all licence holders to complete the necessary report for each lottery held within the prescribed time period by the licensing authority and terms and Conditions of the event.
13. Branches may use lottery funds for building purposes, if approved by the licencing authority as per the process outlined later in this section.
14. Branches may apply to the licensing authority to use more than 20% of their lottery proceeds for upkeep and maintenance, providing it can show substantial use of the Branch facilities (hall and meeting rooms) by organizations in the community FREE OF CHARGE. The application can be made directly to the licensing authority and the licensing authority must formally approve the use of more than 20% based on the extent of community use of the facility. The approval of Ontario Command is not required.
15. Branches may apply to the licensing authority for a Blanket licence. A Ladies' Auxiliary may also apply for a Raffle or Blanket license **but cannot use the Branch's licence.**
16. Branches that run illegal/unlicensed gaming activities risk having both the LIQUOR and LOTTERY Licences of the Branch revoked. (Liquor Act and Gaming Act)

17. Any person who signs a licence application or is involved in the conduct of a licensed event must not participate in that event. For example, if you sign a licence for a raffle you cannot purchase tickets. Further, if you have knowledge of the Break Open Tickets that are sold you cannot purchase tickets. Bartenders must not purchase BOT's as they would have knowledge of the tickets that have been sold.
18. The AGCO has given permission for both the Branches and Ladies' Auxiliary to donate lottery proceeds to the Charitable Foundation and the Bursary program on the basis that these programs are available to a wide community beyond our membership.
19. The use of dice is prohibited.

All applicants for lottery events including Bingo, Raffles, which includes (Calendar Draws, 50/50 draws, Elimination Draws, Raffles, etc.), Bazaars, and Break Open Tickets will receive the Terms and Conditions of the Lottery Event on approval of the licence. **Branches are cautioned to read and follow these Terms and Conditions carefully.** Should a conflict exist, the Terms and Conditions of the licensed lottery will supersede anything in this manual.

Branches have the responsibility to ensure that they maintain proper records for each type of lottery scheme they conduct. This includes all financial information (banking, record keeping and other documents in support of the licence application) and must be kept for 4 years from the expiry date of the licence).

#### USE OF FUNDS (AGCO Policy Manual Chapter 2 Section 2.7.4.F)

- Funds may only be used in accordance with the license issued or special approvals given by the licensing authority. If you are applying to the licensing authority for special permission to use lottery funds be sure to get the answer in writing. Without this happening there is no paper trail if the Branch is audited.
- Organizations must provide the licensing authority with a specific and detailed list of the purposes for which the funds will be used, including the names, addresses, etc., of the charities and community groups utilizing the facilities free of charge. General terms such as for 'community betterment' or 'service club charities' are not acceptable.
- Lottery funds may be used for the following:
  1. Relief of poverty – specify.
  2. The advancement of education through bursaries and scholarships. The fund must be registered with Canada Revenue Agency (CRA).
  3. Charitable purposes beneficial to the community, such as community projects, recreational or public facilities, youth programs where a majority of the participants are under 18 years of age.
  4. The Royal Canadian Legion Charitable Foundation and Bursary Fund.
- Lottery funds may also be used under the AGCO's 'Building Fund Policy', described later in this section. This policy requires both the approval of the Provincial Headquarters

and the licensing authorities and the renovations and construction are restricted to the part of the Branch which is made available free of charge to the community. **Lottery funds may not be used for the clubroom.**

- Branches may use up to 20% of the net proceeds of a lottery event for maintenance of the Branch if the premises are a benefit to the community. Under special circumstances the Branch may apply for the use of 'More than 20%' of the proceeds. An application must be made to the licensing authority and the percentage determined is based on the degree of the community's use of the Branch, **free of charge. Please note that Branches may not claim the "free of charge use" then turn around and ask the charity using the facilities for a donation.**

## **NON – USE OF PROCEEDS**

No part of the proceeds derived from the conduct of a Break Open Ticket Lottery shall be applied to the premises to which the sale of the Break Open Tickets is authorized unless the use of the proceeds for such purposes shall enhance the ability of the licensee to perform services of public good and welfare, **and written permission** is obtained from the licensing authority.

Rent or user fees may not be expensed for administration purposes or general Branch expenses on present facilities, e.g., routine maintenance of the club premises including heat, hydro, mortgage, salaries etc.

Proceeds **may not** be used for:

- Attendance at seminars, workshops, conventions, etc.
- Any program that is membership oriented, professional development, upgrading or training courses or for charitable projects where the benefit accrues to persons outside of Ontario.
- Any endeavour where volunteers have any interest in the funds raised, either directly or indirectly.
- Individual sports teams, where a majority of participants are 18 or over.
- Bursaries/Scholarships for a narrowly focused group, such as children and grandchildren of members only.
- Donations to a charity or other organization which will in turn present a cheque of a near or equal amount to the Branch in lieu of a hall rental – cheque must be deposited to the lottery account. Branches may not create a paper trail to circumvent the legislation.
- Donations to Seniors Groups (in house activities) e.g., subsidized bus trips, etc.
- Indirect expenses, e.g., salaries and administration.
- Adult recreation programs.

## USE OF LOTTERY PROCEEDS - BUILDING FUNDS

### ELIGIBILITY CRITERIA

The Criminal Code of Canada, Section 207 (1) (b), allows for charitable and religious organizations to be licensed to conduct lottery events provided that all funds raised are used for charitable and religious objects and purposes. Funds raised from lottery events may be used only for the purposes where public charitable benefit can be established. Approval may be granted to a Branch of The Royal Canadian Legion to use a portion of funds raised from lottery events for the capital cost of construction, repair or leasehold improvement of its Branch building provided the following can be shown:

- 1) The building provides a public charitable benefit to the community, in that it is available **FREE OF CHARGE** to other organizations within the community.
- 2) The Branch must own or lease the building in which an application for renovations is being applied. Construction of new buildings and renovations to existing buildings must comply with the procedures set out by Ontario Command.
- 3) Approval must be obtained from the licensing authority prior to using funds for this purpose. Approvals will be based on a detailed package of information supplied by the Branches and will be based upon need and the extent that the building is used by the community.
- 4) Special terms and conditions will apply to maintaining this fund.

### APPROVAL PROCESS

Prior to using lottery proceeds for renovations or for the construction of new buildings, Branches must comply with the procedures as set out by Ontario Provincial Command of The Royal Canadian Legion. *See Branch Construction section in this manual.*

**NOTE: Where this procedure is not complied with, the matter shall be referred to the Administrative Committee of the Ontario Provincial Command for any action it may deem necessary and this could include the suspension of the Branch Charter or the Branch Officers.**

Where an application for lottery licensing indicates that funds are to be used for building fund purposes, the following must be submitted with the application for licence:

- 1) An explanation of the type of capital expenditure, and the amount of net lottery proceeds that will be used up to a maximum of 50%;



- 2) Each application, where proceeds are to be used for building fund purposes, must be accompanied by a letter from the Ontario Provincial Command indicating the type of expenditure authorized as well the amount of net lottery proceeds to be used up to a maximum of 50% of the net proceeds. The Ontario Provincial Headquarters may request documents to support building fund proposals and shall make these documents available to the licensing authority upon request;
- 3) Where building fund proceeds are to be used for renovations or new buildings, the Branch must submit the documents outlined in Section 2.8.1. of the Lottery Licensing Policy Manual to the licensing authority. Copies of this section are available from AGCO website;
- 4) The licensing authority will not approve any building fund request unless the above criteria is met.

## **USE OF PROCEEDS**

Once the approval process has been completed and approval granted for the use of lottery proceeds for a building fund, individual Branches of The Royal Canadian Legion are permitted to use up to 50% of lottery proceeds for the following 'building fund' purposes:

- Mortgage payments, including principal and interest, for existing building and/or renovations in progress
- Building repairs
- Painting and decorating (interior and exterior)
- Replacements of a capital nature
- Municipal Taxes
- Heating and Hydro
- Liability insurance on the building

This process is not intended to supersede any approvals/commitments which were in place prior to this change and will take effect once existing approvals expire.

## **DISPOSAL OF PROPERTY**

Any property acquired or renovated through a building fund composed of lottery proceeds may not be sold or mortgaged without the prior approval of the licensing authority.

A document outlining the value of the lottery proceeds applied to the building fund must be made available for review at all times.

Upon the sale of the property, the value of lottery funds contributed to the building fund must be recovered from the sale price and be directed to other charitable organizations in the community.

The Branch may reduce the amount of the money the Branch could have made on an annual basis by renting the facility instead of providing it free of charge (foregone revenue). Please note that if the sale occurs after the obligation has been reduced to zero, the Branch does not have to distribute any funds from the sale of the property to charitable organizations in the community.

## **POLICY**

## **INTERPRETATION**

Use of up to 50% of lottery proceeds for building fund purposes

Applies to Royal Canadian Legion Branch buildings which can demonstrate they are used by the community free of charge.

Applies to new renovation projects and new buildings – it is not retroactive.

Must receive Provincial Command approval for all projects/buildings which exceed \$ 25,000.00 in a fiscal year.

All other policies in the Policy Manual of the AGCO shall apply.

Projects related to the member's lounge are not eligible.

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20% of net proceeds for building upkeep and maintenance

Applies to service clubs including Legions provided building is used by the community.

20% of net lottery proceeds may be used for general upkeep and maintenance of premises as of February 28, 2023.

(<https://www.agco.ca/bulletin/2023/increase-percentage-lottery-proceeds-service-clubs-can-use-operating-costs> )

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Use of more than 20% of net proceeds for building upkeep and maintenance (formerly known

Where the Branch can demonstrate that its facilities are used extensively free of charge by the community, then approval may be granted for

as the community centre concept)

lottery proceeds to be used for general upkeep and maintenance.

Approval by the Licensing Authority is required and approval from Provincial Headquarters is not needed.

The percentage of the lottery funds which may be used for this purpose should be based on the percentage of time that the building is used by the community free of charge versus membership use.

This applies to Legion Branches which provide substantial community use of their facilities.

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Rental Fee for Break Open Ticket

The terms and conditions of the Break Open Ticket licence authorize a rental fee to be taken from the gross receipts.

Branches may charge themselves a 'rental fee' within this maximum providing the Branch does not exceed the total expense maximum as outlined in the AGCO's Schedule of Break Open Ticket Types and Associated Expense maximums.

## **GOOD TO KNOW**

### **Ontario Command Program - Purchase of Break Open Tickets Through One Supplier**

To reduce Ontario Command expenses and the need to increase membership per capita tax, the 2005 Provincial Convention gave approval to allow Ontario Command to select one supplier for Break Open Tickets to branches. A formal agreement was signed on February 1, 2006 with Arrow Games to supply break open tickets to branches in Ontario Command and to include guaranteed pricing with freight included, low turn-around- times for orders and deliveries, and the collection and remittance of a service fee to Ontario Command. This agreement is reviewed every three years.

The contact information for Arrow Games is as follows:

Arrow Games Customer Service  
1-800-387-7621 (Phone)  
1-800-392-7769 (Fax)  
www.arrowgames.com

### **Financial Challenges Facing Branches**

Many branches are experiencing declining membership, decreased revenues and increased costs and some are faced with making difficult decisions about their future operations. The process of examining options and making decisions is not always easily managed.

Some branches have chosen to downsize only to find that the funds realized on the sale of the former property can diminish quickly and lead to their facing the same problems in a new location.

There are some important lessons to be learned from the experience of other branches. Some suggestions are as follows:

1. Act early before a crisis develops! The Executive and the members of the Branch should stay on top of their finances, by observing monthly income and expense trends, identifying problems and taking corrective action where needed.
2. If the Branch is not able to continue to function independently and is seeking help, make use of Branch Advisory Assistance available from your District. Those Branch Advisors will assess the situation and make recommendations and suggest options to address the problems. Your District Commander is required to identify at least two members who have the financial know-how to assist branches. Ontario Command or a District Commander will on occasion insist on Branch Advisory Assistance if the Branch is unable to develop a business plan that will result in a viable operation.
3. It is not uncommon to have several branches in an urban area within a mile or so of one another, with each branch struggling to maintain older buildings with decreased membership. Branch property in urban areas tends to be valued higher and consideration

could be given to selling one or two or three properties and relocating into a brand-new facility. Branches do not have to necessarily give up their Charters to co-locate with other branches. This option may appeal to some branches rather than amalgamation.

4. One strong branch can sometimes evolve from two financially challenged branches. Consider amalgamation, especially when the only other choice is the surrender of the charter. Upon amalgamation, all the assets of each branch are transferred into the new branch and the names and numbers can be combined. Branches and Ladies' Auxiliaries do not lose their years of service upon amalgamation, taking on the same years of service as the oldest branch or LA in the amalgamation. See the section on Amalgamation in this Manual.
5. Prepare a Business Plan! It is crucial to prepare a realistic business plan when determining where the branch stands and what needs to be done. Revenues and expenses should be projected for at least five years into the future. If the branch is considering selling its property and relocating elsewhere, a business plan is essential to determine the viability of the option being considered. Get estimates for any renovations required at the new location to make it useable as a Legion branch and factor these costs into the business plan.
6. Make use of Provincial Headquarters for advice and counsel on property issues.

### **The Ontario Trillium Foundation Grant Program**

There are a number of Grants available to Non-Profit Organizations including the Ontario Trillium Foundation Grant Program and the New Horizons for Seniors Program. Branches seeking assistance from any grant fund available must follow the rules, regulations and submission requirements of the granting organization. If awarded a Grant the information from the Grant application, all quotes etc. should be sent into the Provincial Property Committee to review and sign off on. This is done to make sure the Branch best interest is being looked after. Please refer to Section A pg. 43 for more information on Branch Construction / Renovations

The following website will provide a list of grants currently available in Ontario to non-profit organizations.

<https://www.ontariobusinesscentral.ca/blog/government-grants-and-funding-for-a-not-for-profit-business/>

The Royal Canadian Legion is incorporated at the national level only: For purposes of applying for grants, Branches are asked for Dominion Corporation information about our organization. Here is the information needed:

Corporation Number 058870-9

Business Number (BN) 107928798RC0001

Corporate Name: The Royal Canadian Legion.

Governing Legislation: Special Act of Parliament-1948-06-30. As amended 1981

Registered Office Address

86 Aird Place Ottawa ON K2L 0A1

### **Passing on Files**

Win or lose, appointed or not appointed, it is our duty as officers of the Branch, Zone, District and Command to pass on files and training information to the newly elected or appointed officer or Chair.

### **Resolutions**

Changes to our By-Laws can only be made through the proper use of the Resolution process. It is a formal expression of an individual (or committee – Provincial/National) placed before a meeting (branch general meetings or conventions) for acceptance.

Resolutions should only address one topic or issue. The “Whereas” sections should contain accurate information, be concise to understand the rationale and kept to a minimum. The “Resolved” section should clearly state what action should be taken.

Zones and Districts ***do not*** have authority to make resolutions. Branches ***do not*** have to submit resolutions to Zones and Districts for approval, although ***it is preferred in order to get additional membership support*** at Conventions. Resolutions may proceed directly to Provincial Headquarters.

Information is contained in the following publications:

GBLO	- Section 312 & 313
GBLB	- Sections 919 to 925
Officers' Manual	- Branch Section
<a href="http://www.on.legion.ca">www.on.legion.ca</a>	- Forms & Manuals / Committee Forms / Processing of Resolutions & Resolution Form – to Provincial Command

There is sometimes confusion about resolutions and hopefully the following will clarify how resolutions may originate and how they are handled:

1. Resolutions must be submitted on the approved Ontario Command Resolution Form.
2. Resolutions may be submitted by the Command, a Branch or a Standing Committee of the Command.
3. The by-laws do not provide for resolutions to originate from a Zone or a District.
4. All Resolutions must be submitted to Provincial Headquarters to receive consideration. A Resolution may not be submitted directly to Dominion Command from a Branch or Provincial Standing Committee.
5. Resolutions received after the Convention deadline date for Resolutions, unless of an emergency nature, will be referred to the next Convention.

6. Where possible Resolutions are referred to the Provincial Standing Committee that oversees the program to which the Resolution is applicable.
7. Where the resolution does not relate to a particular Standing Committee, it is referred to a meeting of the Administrative Committee of Ontario Command, if timing permits.
8. The Provincial Executive Council (PEC) considers all Resolutions that have been considered by a Provincial Standing Committee or the Administrative Committee and any Resolutions received after these meetings and prior to the collation of kits for the PEC meeting.
9. Where possible, depending on the timing of receipt of the Resolution and the timing of Conventions, Resolutions are submitted to a Convention or PEC before being forwarded to the Dominion or Provincial Command Resolutions Committee.

### **Trustees**

Section 905 of the General By-Laws of Ontario Command, as approved by Dominion Command, specifies that the real property that may be held or acquired by any Branch shall be held in the name of such Branch. Branch property may not be held in the name of trustees. If your branch has trustees that are listed on the property deed and are deceased, please contact Provincial Headquarters for assistance.

### **Electronic Communication**

For faster and more economical distribution of correspondence, information notices and communications in general, the Legion is now using electronic distribution at all levels, including emails, text messages and other acceptable means of communication for news, meeting notifications, correspondence, reports, special use applications etc. EXCEPT those documents requiring certification by Provincial Headquarters such as Branch regulations, Branch Clubhouse rules and others that are stated as not acceptable by electronic communication.

### **Email etiquette**

- Read over your email before sending. Don't send something you will regret later
- Use short concise item bullets where possible
- The most important part of any email is the Subject Line – NEVER put the whole message in the subject line, leaving the email blank
- Clean up emails before forwarding – remove addresses – remove unnecessary text.
- Let people know you received their email – a concise 'thank you' immediately will give you time to ponder your reply
- The use of "Reply All" should only be used when everyone in the email needs to know your reply. If responding that you have received the email, you should only reply to the sender.
- Talk about ONE subject per email
- Don't 'reply' to someone with an unrelated email – subject lines will not match
- *CONCLUSION*
- *Take your time with e-mails and be professional and polite. Remember you are representing the Royal Canadian Legion Ontario Command*

## **Legal Information**

All Branches must follow the Persona Information Protection and Electronic Documents Act (PIPEDA) fair information principles, including ensuring they do not collect, use or disclose personal information without the knowledge and consent of the person the information relates to. Canada's Anti-Spam Legislation (CASL) requirements are specifically related to email communications and email marketing. Organizations that send commercial electronic messages such as emails promoting a product or service, must comply with CASL's requirements to obtain consent, provide identification information, and include an unsubscribe mechanism in each message. Being a non-profit organization does not exempt The Legion from CASL.

## **Ontario Veterans Plate Eligibility Application**



### **Who Is Eligible**

The new Veteran licence plate is available to those who have honourably served in:

- Served in the Canadian Armed Forces, including Reserve Forces, the forces of the Commonwealth, or its wartime allies;
- Served in the Merchant Navy or Ferry Command during wartime;
- Currently serving members of the Canadian Forces including Reserve Forces;
- Served in NATO operations or as a member of United Nations peacekeeping force as a member of a Canadian police service;
- Currently serving or retired members of the Royal Canadian Mounted Police;
- Served in the Vietnam War in the forces of the United States or its allies during this war and who was a Canadian citizen at the time of such service.

### **Instructions**

1. Obtain an application form from any Service Ontario location that provides License Plates or you can download a digital copy from our website at <https://www.on.legion.ca/remembrance/veterans'-licence-plate>
2. The Veteran needs to fill out Sections 1-3 on the application form and sign at the bottom of section 3. Section 4 is for Ontario Command to sign and approve. Only Ontario Command has the authority from the Provincial Government to approve these applications. The Branch is not to sign or stamp the application.
3. Please be sure that the Veteran includes the following with their application:



- a. The \$5.00 fee in either a canadian dollar bill, a cheque or a money order (We do not accept electronic transfers at this time) made out to The Royal Canadian Legion, Ontario Provincial Command.
  - b. A Postage Paid, Self-Addressed return envelope.
  - c. A photocopy of their Proof of Service, front and back if applicable. Examples of Proof of Service include, but are not limited to, NDI10 or NDI75 or an MPRR (Military Personnel Record Resume) or a Veterans Affairs Blue Cross card with your K number on the front. You may use a CF One card only if it states "Veteran" or "Canadian Armed Forces Member". You may submit a Certificate of Service or Release/Discharge papers or a pay book.
4. The Veteran is then to mail all of the above-mentioned documents to Ontario Command at 89 Industrial Pkwy N, Aurora, ON L4G 4C4.
  5. Once the application is received by Ontario Command, we process them and mail them back to the Veteran.
  6. The Veteran would then take their application to Service Ontario to obtain their plates.

### **Cost**

Ontario values Veterans' contribution, dedication and commitment to serving and protecting our country. To honour their contribution, veterans can exchange their current plates or obtain the new veteran licence plate at no charge, once their service has been verified by the Legion. Sample veteran plates reading "000 VET," for display or gift purposes only (i.e., prohibited from being attached to a vehicle), are also available at no charge to veterans whose service has been verified by the Legion.

All proceeds go toward the administration of The Royal Canadian Legion Veteran and Youth Programs.

## **ORGANIZATION AND STRUCTURE DOMINION AND PROVINCIAL COMMAND**

The Act of Incorporation (Chapter 84 of the Statutes of Canada 1948, as amended) is the authority of The Royal Canadian Legion. It provides that the governing body of the Legion shall be the Dominion Convention, and when it is not in session, the Dominion Executive Council (DEC) has supreme jurisdiction in all matters within the purposes and objects as set out in The Act. The decisions of the DEC on questions of policy and in the course of action to be taken are binding on all Provincial Commands, Councils and Branches.

The branch is the primary unit of the Legion. All branches and Provincial Commands exercise autonomy with regard to their own affairs within the area under their jurisdiction and within the provisions of the General By-Laws.

Amendments to the GBL are approved by the biennial Dominion Convention. Each Provincial Command has its own by-laws, approved at its Provincial Convention. These By-Laws control the affairs of the command and of the branches under its jurisdiction. Branches in Ontario, similarly, set up regulations to control their own affairs. None of these regulations may be inconsistent with the GBL and branch regulations may not be inconsistent with the GBLO. If a conflict does exist, the GBL supersede the GBLO and the GBLO supersede the Branch Regulations.

The DEC is composed of the elected dominion officers, provincial command representatives and special groups, as provided for in Section 401. GBL.

Each level of the Legion sets up standing committees to carry out specific duties as prescribed by the by-laws and by the executive committees, to which they make regular reports. The Legion is a **non-profit**, dues-supported organization. A per capita tax on members' dues supports the operation of Provincial Command and Dominion Command and the Legion Magazine. The Legion is not a registered charity and tax-deductible receipts may **not** be issued for donations to support the general operations of the Legion.

### **DOMINION COMMAND**

At Dominion Conventions, the delegates elect officers as follows:

- Dominion President
- Dominion First Vice-President
- Dominion Vice-President (three)
- Dominion Treasurer
- Dominion Chairman

These officers are elected for a two-year period and with the Immediate Past President, form the Senior Elected Officers of the Dominion Executive Council to carry out the necessary business

between council meetings. The Dominion President approves appointments of members to a number of standing committees.

The Senior Elected Officers, the provincial command representatives (one from each Provincial Command) and a representative from each of the special groups – Tuberculous Veterans’ Section (TVS) and Operational Stress Injuries Section (OSI) collectively comprise the Dominion Executive Council. This council is the governing body of the Legion between conventions. It deals with resolutions from Provincial Commands and reports from all committees.

Everything is reported in Dominion Executive Council minutes, which are distributed to all members of DEC, committees and to provincial executive directors. It is also posted on their website [www.legion.ca](http://www.legion.ca) under Branch Resources and Dominion Committees.

The Dominion Command Committees are:

- Veterans Service and Seniors
- Membership
- Public Relations
- Sports (Track & Field)
- Ritual, Awards and Protocol
- Constitution and Laws
- National Honours
- R.C.E.L. (Canada)
- Dominion Convention
- Defence & Security
- Poppy & Remembrance (Pilgrimage, Cadet Medal, Poster and Literary Programs)

In addition, special committees are named from time to time by the Dominion President on an as required basis and these committees act until their work is completed.

## ONTARIO PROVINCIAL COMMAND

The governing body and supreme authority is the Provincial Convention. Provincial Conventions are held biennially in the odd years. In between conventions the PEC carries on the work of the command. It meets yearly and in between meetings of the PEC, the PAC meets to handle the administration of the command operations and programs.

At the Provincial Convention of Ontario Command, the delegates elect the following officers:

- Provincial President
- Provincial First Vice-President
- Provincial Vice-President (three)
- Provincial Honorary Treasurer
- Provincial Chairman
- Provincial Vice-Chairman

These officers are elected for two years, and with the Immediate Past President, represent the Senior Elected Officers of Ontario Command. The Provincial President is the provincial representative to the Dominion Executive Council. The Provincial President recommends to the Administrative Committee the appointments of the Provincial Standing Committee Chairmen. The first meeting of the Administrative Committee is held on the same day as convention closes and it is at this meeting that the appointments of the standing committee and standalone committee chairmen are ratified.

The following chairmen are appointed and are members of the PEC:

- Bursary
- Constitution and Laws
- Honours and Awards
- Leadership Development
- Membership
- Poppy
- Property
- Public Relations
- Resolutions
- Sports
- Track & Field (appointed at August Administrative meeting)
- Veterans Services/Seniors
- Youth Education

The following standalone positions are appointed:

- Cadet Corps Liaison Officer
- Editor, Information Bulletin
- President, Charitable Foundation
- Ontario Correspondent
- Vice-Chairman, Veterans Services/Legion Seniors

The Finance Committee and the Branch Advisory Committee are made up of members as per GBLO Section 503 (3) & 503 (4).

The Provincial Track & Field Chairman's appointment is delayed until the next Administrative Committee Meeting because the term is from August 1<sup>st</sup> following a provincial convention to July 31<sup>st</sup> following the next provincial convention.

The Vice-Presidents and the Honorary Treasurer, Chairman and Vice-Chairman review and serve on the complaint appeal committee, as required. The First Vice-President takes responsibility for the Zone Commanders workshop, the first being held in June (immediately following a Provincial Convention) and yearly on the Sunday following PEC Meeting.

Ontario Command has nine (9) Districts. Each of the nine Districts is comprised of the Branches and Zones within their boundaries. The SEO, Provincial Standing Committee Chairmen, District and Deputy District Commanders and Zone Commanders all sit on the PEC.

The Provincial President is an ex-officio member of all provincial standing committees and represents the command to various government officials on a number of advocacy issues affecting veterans and branches in Ontario Command. Provincial Standing Committee Chairmen are similarly active in advocacy work.

# VISITATION POLICY & PROTOCOL

## Visitation Policy

Branches and Districts may extend invitations to a senior command officer on the approved command visitation form. The District Commander must approve all invitations from Branches and his District for a command officer to attend a branch function or a district convention. Invitations for branch functions are limited to the following:

- (a) November 11<sup>th</sup> Remembrance services and dinners; and
- (b) Anniversary celebrations commencing with the 10th year and at five (5) year intervals thereafter; and
- (c) Presentation of branch charters. It is the policy of the command that the Provincial President be present; and
- (d) Official opening ceremonies of new branch property; and
- (e) Legion Week celebrations; and
- (f) Special presentations, i.e., M.S.M. awards, ensure that awarding officer has all of the information and details available to him at the time of presentation. (The presentation of a Life Membership award is the responsibility of the District Commander); and
- (g) An event of historical interest or local celebrations in which the branch plays a leading part:
  - i. The branch may invite, as speaker and guest of honour, a Command Officer, providing such request is reasonable (as to travel) and the invitation is to be submitted through your District Commander, who will indicate his approval or otherwise.
  - ii. The services of your District and Deputy District Commanders should be utilized for representation at Zone meetings.
  - iii. The Command will provide the services of a Command Officer at District conventions, if requested.
  - iv. A specific date is to be noted on the visitation form; and
- (h) A Provincial Officer may attend a special Branch function each year, which may not be in accordance with the current policy, provided the details are submitted to the Provincial President for his approval.

Invitations should not be extended to Provincial Officers, unless they fall within the above noted terms of reference. Additionally, the acceptance of an invitation to a Provincial Officer presumes that he is the main speaker for the function.

Also, invitations should not be extended with reference to Honours and Awards functions, unless they fall within the terms of items (b) and (f).

A branch may not receive a visit from a Command Officer more than once in each year, unless the second request for a visit is considered to be for a special event, i.e., the presentation of a Meritorious Service Medal.

Provincial Officers are not permitted to accept invitations for the following functions:

- (a) Zone conventions, meetings and Drumhead Services;
- (b) Conducting Branch elections or installations. (The responsibility of the Zone Commander).

Invitations extended by Branches to former officers shall be on a direct personal basis and at the expense of the Branch concerned.

**NOTE:** All invitations are to be scrutinized by the District Commander in question, in order to determine the merit of same and indicate thereon, his approval or otherwise.

The proper reception of Command and District Officers is outlined in the “Protocol” section below.

Request for visitation forms are available on the Provincial website for both Provincial and Dominion Command Officers, under Forms & Manuals.

Invitations to a Dominion Command Officer must be forwarded directly to the Executive Director for their approval prior to its submission to Dominion Command. Unless exceptional circumstances prevail, the Provincial Headquarters will decline to approve an invitation to a Provincial Officer if a Dominion Officer has already been invited and accepted. If approval has already been given for a Provincial Officer, a further invitation for a Dominion Officer will be declined.

## **Protocol**

In any organization, the observance of established normalities of protocol enhances and promotes the image of the organization. Given the autonomous nature of The Royal Canadian Legion, a set of recommended protocol guidelines, consistently applied across all levels of our organization, will bring recognition and respect.

Protocol is essentially the observance of official formality and etiquette. It is centuries old and as modern as today. It is based on human understanding and the experience of interrelationships and provides stability and dignity in the conduct of affairs between people and nations. When applied to any situation at any level, protocol is the rule of observing etiquette and adhering to the order of precedence and correct procedure. It considers official ceremonies, privileges and ensures proper recognition and respect for position and office. The principles of protocol are to be applied with formality and dignity for all Dominion and Provincial Command, District and Zone Officers' visits.

In this section, we include Parades, Banquets, and Protocol at Functions. Other protocols regarding such items as Legion Dress, Initiation of Members, Installation of Officers, Ceremonies and Events, Legion Funerals, Flags and Colour Parties etc., can be found in the Dominion Ritual, Awards and Protocol Manual. Go to [www.legion.ca](http://www.legion.ca) and click "For Members and Branches" to Login. Once you are logged in, click on "Branch and Command Resources", then "Ritual, Awards and Protocol". then under heading "Publications, Guides and Manuals" click "Ritual, Awards and Protocol".

Procedures for Legion Meetings, order of business for various types of meetings are contained in the Ontario Command General By-laws for Branches.

## **Parades**

When on parade, precedence is established by the senior person marching in the right side position of the first file. Others fill in from right to left in descending order of precedence.

## **Banquets**

Precedence at banquets is established by seating the senior person to the right of the host (President or Chairman), the next senior person to the host's left. The procedure is followed for the remaining guests.

## **Protocol at functions**

**Guests.** The invitation of guests to any function can bring credit and praise upon the Legion and our members. It is also an important way to educate local persons and dignitaries to the good deeds that we as an organization accomplish within our respective communities. However, the manner in which we treat our guests will leave a lasting impression upon them, either good or



bad. Therefore, it is in our best interests to invite appropriate guests to appropriate functions and to ensure that they are looked after throughout the function.

**Procedures for Inviting.** In determining a suitable guest for any function, it is first necessary to determine how the guest relates to the function being held. Generally, the guest should be knowledgeable or associated with the event taking place and will be able to add to the overall success of the event. Additionally, there may be occasions where it would be beneficial to the Legion to invite guests so that they become aware of our activities and can therefore leave the event with a positive perception of our organization and help to spread that perception throughout the community.

A potential invitee should be contacted well in advance to ensure that his schedule will permit attendance. Initial contact can be made either in person or in writing. When contact has been made, it will be necessary to provide as many details as possible concerning the event or the nature of the gathering including dress code. It should also be indicated to the guest why he has been chosen to come to the function. In essence, be up front and honest as to why you want the guest at your function and what their role will be. Also explain to the guest any sensitivities or peculiarities of the gathering so that he will not be embarrassed during the function.

It is normal to invite guests to official functions to enhance the occasion and to pay tribute to those who have supported our organization. Selecting guests for a particular function has to be a careful process to ensure that they are compatible and to avoid unwanted embarrassment.

If it is necessary to receive authority for a guest at your function by inviting a Legion Officer, you will have to complete a “Request for A Visit by a Provincial or Dominion Command Officer” form as found on our Ontario Command website. The completed form must be submitted to our Provincial Headquarters at least 90 days prior to the event taking place. If the nature of the function or the guest will prove to be controversial, you should also notify Provincial Headquarters as to the arrangements being made.

**Types of Functions.** While the list of functions is vast, the more common functions where you may wish to have an official guest are included in the Visitation Policy.

**Funding of Visits for Invited Guests.** If attendance of a Command Officer has been approved, the Provincial Headquarters will assume responsibility for payment of normal expenses as provided for in the Command Expense Account Policy. However, such approval will only be granted for the most significant of events.

**Making the Arrangements.** Now that you have decided to invite a guest to your function, you should also determine if there are any special requirements that the guest needs, such as accommodation, transportation or any special needs.

First, you should determine if there are any special transportation needs for the guest and if you can help in making those arrangements. Particular attention should be made for any guest with physical disabilities to ensure that he will have access to all venues of the event.

Second, you should find out if there are any special accommodation requirements for the guest and again assist in making those arrangements. If necessary, you should check and confirm the accommodation reservations to ensure that they are suitable for your guest.

Advance copies of programs for the event(s) that your guest will be attending should be mailed to your guest to ensure that the guest is fully aware of their expectations while attending the event(s). If invited guests are arriving from out of town and transportation is not being provided for your guests, they should be made aware of this. In turn, a map should be provided to the guest in advance of their accommodations location and the location of the event(s) taking place.

The name of the person your guest should contact upon arrival at the event(s) should be provided along with the time frame. In turn, the contact person should be made fully aware of the arrival time of your guest at the event(s). This will allow the contact person to welcome your guest and review expectations with the guest.

You should also determine if your invited guest has any special need's or food requirements. Again, being prepared for their arrival will negate any last-minute arrangements and needless running around. You may also want to assign an escort person to the guest to ensure that any requirement that arises during the visit is looked after in a timely manner. This is particularly useful if the guest is not familiar with the area.

**Reception of Guests.** Upon the arrival of your guest, all expectations and involvement in the event(s) should be reviewed. Similarly, if the guest is accompanied by a spouse/partner, the spouse/ partner should be given similar respect and all expectations and involvement in the event(s) should be fully explained. Keep in mind that in most cases, the surroundings where the event(s) is being held is foreign to both the guest and spouse/partner.

Your invited guests should be met at their point of arrival and either escorted to the event or their accommodation. On arrival the guests should be provided with an information package and an itinerary of events if it has not previously been provided. Being met in a friendly and courteous manner will set the visit off on the right foot.

**Introduction of Guests.** It is common practice to ask the guests to provide a short biography which can be used to introduce your guests to the assembled event. You should determine when it is best to provide an informal or formal introduction to your members.

In an informal gathering it would be best to introduce the guests to your group by calling their attention to the guests and then provide a short introductory welcome speech. Time should be provided to the guests to respond to the welcome and to say a few words.

If a guest has been invited to a more formal occasion such as a dinner, you will need to determine how best to introduce the guest to attendees. One of the best methods is a receiving line at the beginning of the dinner that will provide the guest with an opportunity to meet all members of the gathering.

When you have entered the dining area and after grace has been said, it is normal for the official host to welcome the guest to the gathering. This can be done either after the gathering has sat down or immediately prior to when your guest has been asked to speak. The information gained from the guest's biography should be used here to provide a short and accurate introduction of your guest as well as welcoming him.

**The Receiving Line.** Should you decide that a receiving line is a suitable method to introduce your guest to attendees, the following guidelines should apply:

- a. The receiving line should be kept as short as possible;
- b. The official host should be the first person in the line, followed by the guest of honour, and then followed by the master of ceremonies or the person in charge of the dinner. If spouses are in attendance, they will occupy a position beside their respective partner. Should the official host determine that more persons should be recognized in the receiving line, the host may add more, but numbers should be kept to a minimum to allow for a quick procession;
- c. When attendees go through a receiving line to meet the guest of honour, Legion members will precede their escorts and introduce them to the guest of honour.

**Presentation/Speech of Guest.** When inviting a guest to address your audience you should discuss the topic with your guest and provide guidance on those ideas which need to be put forward. You should also highlight any nature of any subject which may be controversial, or which needs clarification. In this way your speaker can best structure his presentation to ensure that it is well received. It is also best to provide the speaker with any background information on the intended audience which will enable the speaker to gain the audience's confidence and attention. You should also discuss with your guest whether or not his comments can be attributed to him or quoted; many guests will provide candid comments if they are to be attributed. If the guest has no objection, there is no problem. If the guest objects to attribution, you must inform attendees of his wishes. It is not wise to abuse a privileged platform if you want your group to remain credible.

**Seating Plan.** In determining how to organize your event, you should decide whether or not a formal seating plan is required for either the head table or all those in attendance. A formal seating plan will allow you to mix the seating arrangement and allow people to make new acquaintances. An informal seating arrangement will allow mutual acquaintances to sit together. In either case, it is usual that a seating plan is set for the head table. In organizing a head table you should determine how large the head table should be. Consideration of the size of meeting hall and the audience need to be taken into account. As you look down from the head table onto the floor, the official host is seated in the middle of the table. The guest of honour should be seated to the right of the host and other guest, in the order of their precedence, should be seated to the left and right alternatively from there. If spouses are in attendance, it is normal that they are seated beside their partner. The Master of Ceremonies is usually seated to the far right of the host and at the end of the table where he can have access to a microphone if provided.

At a mixed function with a formal seating plan, it is customary for a gentleman to escort the lady seated to his right into the dinner from the reception area. When escorting, a gentleman offers his left arm to the lady should she need assistance to her place.

**Presenting a Guest with a Memento.** It is customary that you present your guest with a small memento of the occasion. This memento does not have to be extravagant but should serve your guest as a reminder of his time with you. If your guest has given a speech, it would be normal to present your memento after you have thanked him for the presentation.

**Toasting.** The offering of a toast is a time-honoured tradition to pay recognition to official guests and to fallen Comrades. Toasts are normally offered at the beginning or at the end of the dinner. Toasts can be offered with spirits or wine as well as water. Glasses should not be knocked or “clinked” together when official toasts are offered. In offering a toast, the following sequence should apply:

- a. “Her Majesty The Queen”, to which assembled members reply “The Queen”;
- b. Other toasts;
- c. “To Our Fallen Comrades”.

When a toast is offered, all assembled members should rise and reply to the toast. The toast to The Queen is to precede any other toast.

**The Pipers Toast.** The use of a piper to lead a head table into position at the beginning of a dinner or to retire the head table at the end of a dinner adds additional ceremony to your event. The piper may also be asked to play a selection during your dinner. However, if a piper is used, the host should be prepared to recognize him by offering a toast in recognition of the piper’s efforts.

The piper is asked to step forward to the host’s position. A tray with two drinks is brought forward and offered to the piper and the host. When the drinks are taken from the tray, the piper will raise his glass and give the ancient Gaelic toast:

Slainte mhath (pronounced Slawn-cha Vah’) meaning “Good health to you”.

The host, raising his glass, should then reply:

Slainte (pronounced Slawn-cha) meaning “Good health”.

The host and piper drain their glasses and return them to the tray, at which time the piper marches smartly out of the function.

If the piper cannot remain at the function to receive his toast after the one to Her Majesty The Queen, then the toast to the piper should not be included in the list of activities.

**Departure of a Guest from a Function.** Unless your guest’s schedule has him departing immediately after the function, it is not polite to rush him out. Following a dinner, he should be

afforded the opportunity to mix with the group and to get involved in informal social discussions. For your attendees, it is not normal to leave a function until your guest has departed. If there is occasion where this has to happen then your attendees should say good evening to the guest and excuse themselves from the function.

Additionally, your guest should have enough time to say goodbye to those in attendance. You should also offer to escort your guest back to his accommodation or if necessary, to his point of departure. In either case, you should provide your guest with the necessary transportation.

**Follow up Actions after a Function.** The final aspect for any activity is the actions which are required to thank your guest and to promote the event. As such, you should send a letter of appreciation to your guest and if necessary, you should publicize the event in the local media.

**Letters of Appreciation.** A letter of appreciation should be sent to your guest of honour to acknowledge the efforts that they went through to attend and address your function. If necessary and your guest represented an organization, you should also send a letter of appreciation to the governing body of that organization to recognize your guest's contribution. In that way, that organization will feel that they have been recognized and would look favourably on any future requests for guest speakers.

**News Release.** It is appropriate for any organization to receive public recognition of an event through the local media. This serves to keep the community aware of your organization and how you support local activities. As such, the local media should receive an invitation to your event. If they are unable to attend, then a small article with a photograph would serve your purposes well. There is however a word of caution. If your guest speaker was attributed a privileged platform status, this must be emphasized to the media and in your news release.

## **PROVINCIAL EXECUTIVE COUNCIL**

The Ontario Provincial Executive Council (PEC) consists of a President, Immediate Past President, First Vice-President, three Vice-Presidents, Honorary Treasurer, Chairman, Vice-Chairman, District Commanders, Deputy District Commanders, Zone Commanders, and the Provincial Standing Committee Chairmen.

The PEC meets annually each year and has the power to perform and carry to completion, work entrusted to it by the last convention or the GBLO; to fill all vacancies between conventions, to supply any omissions of the convention, and to carry on the business of the Command in any manner not inconsistent with the expressed will of the convention.

The Executive shall not be obliged to admit any person other than its members to its deliberations.

Only members of the Executive shall have the right to make or second motions, make nominations or vote at meetings of the executive.

The Provincial President may, for cause, suspend the charter or powers of any Branch or Ladies' Auxiliary or suspend any officer and report the action taken to the PEC - Section 505. GBL. Refer also to Section 419 and 420 of the GBL.

## **PROVINCIAL ADMINISTRATIVE COMMITTEE**

The Administrative Committee of the Ontario Command is a committee established by the GBLO for the purpose of handling administrative and other urgent matters between meetings of the PEC. The composition of the PAC consists of the President, Immediate Past President, First Vice-President, three Vice-Presidents, Honorary Treasurer, Chairman, Vice-Chairman and the District Commanders.

The powers of the Administrative Committee are limited to the interpretation of the policy of Command as it may relate to matters of internal administration and organization of the Provincial Command and staff, Branch, Zone and District administration, particularly deciding what matters shall rightly go before the PEC. All proceedings of the Administrative Committee must be confirmed by a subsequent meeting of the Executive Council. Meetings of the Administrative Committee shall be called by direction of the President or a majority of the Command Officers.

If a District Commander is unable to attend an Administrative Committee meeting, he is to notify the Provincial Executive Director, to provide the name and confirm contact details of the elected/appointed Deputy District Commander to attend in his stead.



## SERVICE BUREAU

### PROVINCIAL SERVICE BUREAU OFFICES OF ONTARIO PROVINCIAL COMMAND

The Ontario Provincial Command has permanent offices located in North Bay, Ottawa, Aurora and London. The names, addresses and telephone numbers of our Provincial Service Officers are noted hereunder:

#### London Office

Rebecca Hyndman (Calder)  
1069 Wellington Road  
Suite 103  
London, ON N6E 2H6  
Tel: (519) 253-2422  
Toll Free: (888) 207-2021  
Fax: (519) 253-0922  
Email: [rhyndman@on.legion.ca](mailto:rhyndman@on.legion.ca)

Districts: A, B, C

#### North Bay Office

Sherry Culling  
107 Shirreff Avenue  
Suite 202, Canada Place  
North Bay, ON P1B 7K8  
Tel: (705) 472-8650  
Toll Free (888) 207-2206  
Fax: (705) 472-1969  
Email: [sculling@on.legion.ca](mailto:sculling@on.legion.ca)

Zones E3, E4, E5 and Districts H and K

#### Ottawa Office

Patricia Royle  
86 Aird Place  
Suite 222  
Ottawa, ON K2L 0A1  
Tel: (613) 591-0144  
Toll Free (888) 207-3703  
Fax: (613) 591-0148  
Email: [proyle@legion.ca](mailto:proyle@legion.ca)

Zone F3 and District G

#### Aurora Office

Marg Rohmann  
89 Industrial Parkway North  
Aurora, Ontario L4G 4C4  
Tel: (905) 841-7999  
Toll Free (888) 207-0939  
Fax: (905) 841-9992  
Email: [mrohmann@on.legion.ca](mailto:mrohmann@on.legion.ca)

District D and Zones E2, F1, F2, F4, F5

The services of the Provincial Service Bureau Offices are available to all Legion branches, Legion members, veterans/ex-service personnel and/or their dependants. They will provide assistance and advice on matters relating to:

- a. Disability Pensions under the Pension Act
- b. Disability Compensation and other benefits provided under the Veterans Well-being Act (VWA)
- c. Benevolent Funds
- d. Treatment Benefits
- e. Allowance Programs



- f. Funeral and Burial Assistance
- g. Veterans Independence Program
- h. Allied Veterans Benefits and Programs
- i. Other related matters.

The Provincial Service Officers continue to represent clients who are applying for disability pensions under the Pension Act and may represent clients who are applying for the disability compensation under the VWA. Their services are also available for reviews and appeals of the decisions rendered.

Although the Provincial Service Officer is knowledgeable on other programs provided by VAC (such as war veterans allowance, treatment benefits and the veterans' independence program), veterans and their dependents are routinely referred to VAC to establish their eligibility for these programs.

### **THE VETERANS SERVICES CHAIRMAN**

Each Branch shall appoint a Veterans Services Chairman/Branch Service Officer who is available to advise and assist the Veterans, widows, ex-servicemen etc., in their communities. A branch may wish to appoint two people to fill the Veterans Services Chair position and the Service Officer position.

The officer can be called upon to respond to a variety of questions and situations. Not only should the Chairman become familiar with Veterans Affairs benefits, he/she should also be aware of other federal, provincial and municipal programs which exist and might be appropriate.

Ideally, the Veterans Services Chairman/Branch Service Officers works with the Provincial Service Officer and Counsellors at Veterans Affairs Canada to ensure that requests for assistance are referred to the attention of the proper persons or authority.

This chapter of the Officers Manual shall be read in conjunction with the Service Officers Handbook published by Dominion Command of The Royal Canadian Legion on a bi-annual publication. Additionally, the Poppy Manual will need to be consulted. Attendance at the annual District Service Officers Seminar will reinforce knowledge gained at the branch level, or in the case of new Branch Service Officers, provide them with sufficient information to be able to perform their tasks in an efficient and confident manner. All information received by a BSO is CONFIDENTIAL.

The intent of this section of the Officers Manual is to enable Branch Service Officers (BSOs) to be able to assist veterans and their dependants with a number of applications they may deal with, and provide some comfort, throughout the process of seeking benefits, at any level from VAC, through a Provincial Service Officer.

Historically, the Branch Service Officer will assist the clients to complete the Legion Application Form, during an interview, at the first application level a (VAC form PEN 923), and an application for Benevolent Fund assistance

A generic set of **Terms of Reference** for a Branch Service Officer are presented and may be altered to suit the need of individual branches.

**NOTE:** As a Branch Service Officer you are there to direct potential applicants to the Provincial Service Officer, who provides services in your Zone. At no time should a Branch Service Officer deal directly with Veterans Affairs Canada, with a referral for a first application for disability benefits. Branch Service Officers conducting this level of application effort may be held responsible, by the client, for any delays or miscommunications to VAC as a whole. Applications sent to a Provincial Service Officer become their responsibility, and the BSO is removed from the application process.

In order for a Branch Service Officer to be able to perform their functions at the branch level; we have provided some tools and guidance in the following pages. The Branch Service Officer, possibly, being the first point of contact for the veteran, or their dependants, should be comfortable with conducting an interview with them. In order to reinforce this confidence in our Branch Service Officers, an Aide Memoire has been established for the completion of the Legion Application Form. The Legion Application Form may be on plain white or coloured paper. This is the choice of the BSO.

The registering of a claim for either a disability pension or disability award is the responsibility of the Provincial Service Officer. These registrations require copies of specific identification and other associated documents. These will be sought by the Provincial Service Bureau Office once the application is received at the appropriate location.

## **Aide-Memoire**

### **Branch Service Bureau Officers**

#### **Conducting an Interview and Completing the Legion Claim Form**

##### **The Legion Application Form is at the end of this section**

From time to time a Branch Service Officer may be required to conduct an interview so that they can complete the Legion Claim Form for a client and forward it to the Provincial Service Officer. As some Branch Service Officers have suggested that they are not sure what approach they should take when conducting an interview, the following has been prepared to assist you. This aide-memoire is not binding, but designed to enable a Branch Service Officer to have a basis from which to conduct their interview.

**Note:** All interviews should be conducted in a private area. If possible, the Service Officer should try and conduct the interview in the individuals, home surroundings (ie. Branch), rather than an open public area. The information passed to a Branch Service Officer is personal and confidential, and will not be released to anyone, other than a Provincial Service Officer, without the expressed written permission of the client.

##### **Step one: Identifying the Client:**

Please note that the clients full first and surname is placed at the very top of the page. Then they should complete, or you may complete it on their behalf, the sections numbered 1 through 7. This will identify the client and provide us with their particulars. Ensure that you receive the clients legal first name, some individuals will be only known as Hank, but their actual first name is Harold. The records secured for the client will have Harold on them. If we register the claim using Hank we may not get the service records as requested.

**In area 1**, under applicant . . . if the client is completing, ensure they place the first name of their spouse in the area marked applicant. Newer applications should have this entered on them. However, if the application is being completed on behalf of an individual then the name of the individual making the application should go here, ie Power of Attorney (POA).

**Note:** Not all officers of WW II, had a service number. Service Numbers for WWII Air Force veterans will start with the letter “R” for enlisted individuals and a “J” for the Officers. Service Numbers for the Navy will normally start with a “V”. This indicates WWII service. Officer’s number will start with an “O”. The Army will have different alpha prefects depending on where the individual enlisted.

##### **Step 2: Present Status of the Client**

Complete sections 8, this will enable us to know if the client has a current file number with Veterans Affairs, additionally it should also tell us if they have ever applied for any disability

benefits with VAC, and what the previous claims, if any, were for. Enter the present disability that the client is seeking assistance for.

**NOTE:** if the client is not sure of their current diagnosis for a condition, then place the name of the body area, ie, low back, neck, feet, or knees, etc. This will at least provide us with a starting point. Claims for full body arthritis should be discussed with the Provincial Service Officer, prior to moving forward on the veteran's behalf.

There are two notes. These should be explained to the client:

- (1) We will require a specific diagnosis for the disability for which they are claiming a pension. If it is only for pain, (ie. Knee pain) then the expected diagnosis would be Osteoarthritis, noting that pain is a symptom of something and not a pensioned condition by itself. Lower Mechanical Back Pain is a condition than may be made as a standalone condition; and
- (2) We will carry on with a claim should a client pass away so that we can obtain a survivors compensation for their spouse.

### Step 3: **Authorization to Proceed**

To complete the application the client should sign Section A or B, section C and section D. Section "A" is the preference signature area. The veteran may feel free to sign just section "B" however; they then must be cautioned on the limited work that we may be able to provide for them. Either Section A or B must be signed in order for the Provincial Service Officer to be able to view the clients file at VAC. However, signing Section B access will be for the one condition, or case as detailed by the veteran. Section "C" is option and will enable us to use their case as a sited example only, without the use of their name or numbers etc. This may be of value to other veteran's down the road.

When the client signs Section D, the final authorizations on the bottom of the page, they are signing so we can access their Medical Files through National Archives. Most of these files are now viewed electronically through a Veteran Affairs Canada computer system. Also, a requirement may exist to obtain a Head Office file, in the case of a client with present day compensation. At all times it is a preference to have all of these signature blocks completed.

### **The Interview:**

Regardless of what the client has requested the interview for, it is always best to complete the Legion Application Form first, and then discuss the reason for the visit. This way, you, the Branch Service Officer, can use the back of the form to make notes and keep the application on file at the Branch, if it is not required to be sent to a Provincial Service Officer. If the application is to be sent forward, the original application must be provided to the Provincial Service Officer, a copy made for the branch records, which must be held in a controlled and safe area.

A majority of the individuals that you may interview, will probably, be seeking a way of directly pursuing a Disability Pension (DP) or a Disability Award (DA)/Pension for Life (P4L), for a present day disability or for assistance with respect to being able to stay in their own home. This is normally the assistance with the housekeeping work, and or the ground maintenance work. In the case of an individual who wants to stay in their own home, but they do not have a DP or DA, and are seeking the benefits available under the Veterans Independence Program (VIP), it will have to be confirmed whether they fall under the War Veterans Allowance Act or the Canada Service Veteran Only VIP Package, or the Allied Veterans VIP benefits, as detailed in your Service Officers Handbook. However, if you are unsure, submit the completed application to the Provincial Service Officer that is responsible for your Zone.

For individuals who are seeking a pension, or an award, for a disability, you should obtain as much information as possible, and then inform them that you will forward their request to a Provincial Service Officer who will contact them, to discuss their issues and the way forward.

At no time should you make a judgement (adjudicate) on a person who is requesting assistance. The responsibility of the Branch Service Officer is to assist with the completion of the application and then forward it on to the appropriate Provincial Service Officer. Any Regular Force or Reserve Force member who wore a uniform is eligible to make an application to Veteran Affairs Canada for consideration of compensation for their present day disability. The information obtained from their medical files, from National Archives, along with their personal physician's statements, coupled with their own statement of the events and the disability of the present day will be forwarded to Charlottetown, where an adjudicator will decide if they are to receive a Disability Pension, a Disability Award/ Pension for Life, or be denied on the application.

The above guidance should allow new Branch Service Officers to conduct an interview with a client and obtain the necessary information required to start a claim for a Disability Pension or a Disability Award or for an application for either WVA or VIP benefits for an individual.

**Remember:**

- a. Disability Pensions are paid monthly, to anyone who had a successful claim with a date prior to 31 March 2006.
- b. Disability Awards are paid in a lump sum, for all successful claims registered on after April 1, 2006. This does not apply to WWII Veterans, Korea Veterans or RCMP claims. They are protected under the pension act. Pension for Life compensation are paid in monthly pensions, with the option to elect a lump sum payment, for all successful claim decisions yielded on or after April 1, 2019.
- c. For either a Disability Pension, or for a Disability Award/Pension for Life, the amount of compensation is based on the degree of disability that an individual has at the time of their present day medical assessment.

d. All conditions may be re-evaluated, if the condition worsens.

**Note:** Some visits and interviews will result in a veteran or their dependant seeking financial assistance for an emergency medical or family issue for which they do not have the funds available to support the requirements. These benevolent fund requests should be handled either from the Branch Poppy Trust Funds Chairman, with guidance from the Branch Service Officer, or the request should be forwarded to the appropriate Provincial Service Officer for their actions.

The guidelines set out should enable Branch Service Officers to conduct an interview, complete a Legion Application Form, and provide that information to the Provincial Service Officer.



THE ROYAL CANADIAN LEGION  
CLAIM APPLICATION FORM



I, \_\_\_\_\_  
please print (Given names) (Surname) (Maiden Name)  
the applicant, authorize The Royal Canadian Legion to act as my representative and to have access to my relevant medical records, service records, client case files, and Client Service Delivery Network (CSDN) database records held by Veterans Affairs Canada (VAC), including those records held by the National Archives of Canada necessary to prepare a claim under the Pension Act and all other Acts as they relate to benefits and programs administered by VAC.

Representation and access to my records is to remain in effect as follows: (choose one of "A" or "B" (signature in block "C" is optional))

<p><b>A</b> Indefinite representation/access unless cancelled by me in writing to Veterans Affairs Canada. I understand Veterans Affairs Canada will notify The Royal Canadian Legion of this action upon receipt of my request.</p> <p>Applicant's signature _____ Date _____</p>	<p><b>B</b> Representation access to end upon completion of specified claim(s). (Specify)</p> <p>Applicant's signature _____ Date _____</p>
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**C** I understand that in certain circumstances decisions rendered in case(s) may be used by The Royal Canadian Legion as precedents to assist other applicants. I authorize The Royal Canadian Legion to have indefinite access to past and future decisions made on all my claim(s) for the purpose of assisting in the decisions of other applicants.

Applicant's signature \_\_\_\_\_ Date \_\_\_\_\_

**PARTICULARS OF SERVICE AND CLAIM (please print)** Date of interview \_\_\_\_\_

1. Service N° \_\_\_\_\_ Rank \_\_\_\_\_ Marital status \_\_\_\_\_  
 # of Dependants \_\_\_\_\_ Tel. N° (H) \_\_\_\_\_ (C) \_\_\_\_\_ W) \_\_\_\_\_  
 Name of applicant \_\_\_\_\_ Email \_\_\_\_\_  
(if not the veteran or member)

2. Address \_\_\_\_\_  
(Street) (City) (Province) (Postal code)

3. Date of birth \_\_\_\_\_  
(veteran or member) 4. If deceased, date of death \_\_\_\_\_

5. Date of enrolment \_\_\_\_\_ Date of release \_\_\_\_\_ MOC/MOSID \_\_\_\_\_

6. Have you previously applied for a disability entitlement or other benefit from Veterans Affairs Canada? Yes  No   
 If yes, are you currently receiving disability benefits? Yes  No  VAC file N° \_\_\_\_\_

7. Proof of identity attached for veteran Yes  No  Proof of identity attached for spouse Yes  No

8. Explain what your claim is now \_\_\_\_\_  
Please use a separate sheet of paper if you need more room

**NOTES TO APPLICANT**

- Physician's Diagnosis of Claimed Condition(s) is necessary and should be provided as soon as possible.
- In the event of your death, The Royal Canadian Legion will continue to have access to your records for a period of 90 days in order to finalize any claims pending at the time of your death.

**D THE FOLLOWING AUTHORITY MUST BE SIGNED**

I, \_\_\_\_\_, Service N° \_\_\_\_\_  
(Given names) (Surname)  
 authorize The Royal Canadian Legion to access all medical and service records including those held by the National Archives of Canada and to prosecute a claim through any agency of Veterans Affairs Canada.

Applicant's signature \_\_\_\_\_ X \_\_\_\_\_ Date \_\_\_\_\_

Branch Service Officer \_\_\_\_\_

www.legion.ca

## **Terms of Reference**

### **Branch Service Officer (BSO)**

- may be an appointed member of the Executive of the Branch, with respect to the activities of their office.
- will respect the confidentiality of individual Veterans, and cases which they are dealing with.
- will receive approval of the Poppy Trust Fund Committee before incurring any expenses out of Poppy Trust Funds.
- will assist veterans in the processing of applications for pensions and benefits, etc.
- will maintain a library (if space is available) of information booklets, etc. for distribution to veterans, as required.
- as part of the Poppy Trust Fund Committee, will process all requests for Benevolent Funds through the Poppy Trust Fund Committee.
- will be aware of the provisions of the General By-Laws of the Legion, The Provincial By-Laws, Branch Regulations, the Service Officers Handbook, and the Poppy Manual as they refer to the services available to veterans.
- will maintain an on-going liaison with the Provincial Service Officer.
- will schedule visits of the Provincial Service Officer for the purpose of meeting individual veterans or conducting information sessions.
- The BSO will establish an outreach program with the view to seeking/finding veterans who may require assistance.
- will establish a program so that veterans in retirement/nursing homes are visited on a regular basis.
- will ensure that the Assistant Service Officer is fully involved in the activities of the office, and is in a position to assume the full responsibility of the office, if and when required.
- will maintain their level of knowledge by attending regularly scheduled Zone and District Service Officers Seminars.



- shall deal exclusively with the Provincial Service Officer, for all first applications and benevolent fund applications. Additional referrals shall be made for individuals who wish to appeal a negative decision from Veteran Affairs Canada or the Veterans Review and Appeal Boards (VRAB).

## **Completion of a PEN 923 – Application for Pain and Suffering Compensation (Disability Benefits)**

### **A Partial Copy of a PEN 923 is presented at the end of this Section**

The PEN 923 is the only application that Veteran Affairs Canada will accept as an application for either Disability Pension or Disability Award/Pension for Life. As a Branch Service Officer, you will be required to provide assistance in the completion of these forms for both our veterans (using a PEN 923) making a first application, and their widows (using a PEN 542), who may be making a submission of a claim upon the death of a veteran spouse.

This application is very easy to deal with, notwithstanding the number of pages that it contains. The first pages are simply instructions. The next 8 pages are the application itself.

**Page One:** This section asks for what is typically called tombstone data, or personal information, about the veteran. Here we will place the veterans' name, telephone number and the mailing address of the applicant. This allows for a home address to be different from a mailing address, for example where a Post Office box number is used in conjunction with a street address.

**Page Two:** This section of the application deals with dependants; it first asks for the marital status of the applicant. This is followed by the name of the spouse, and their date of birth and the date of marriage. This information is imperative and will delay the release of financial compensation where a monthly pension is payable if not completed. The last section deals with that of dependant children. For Veterans Affairs Canada's purpose a dependant child is one who is living at home and has not reached the age of eighteen (18) years, or a child who is between the ages of eighteen (18) and twenty-five (25) years and who is in full time attendance at an educational institute. For this level of dependant, the monthly dependant pension increase is only for the actual months that they are attending school, ie September to June. Finally, a dependant is any child regardless of age, who suffers from a direct physical or mental disability, and is wholly dependent on the veteran for their support.

**Page Three:** This section of the application lists the service number/regimental number/Social Insurance Number (SIN)/RCMP badge number/Merchant Navy number etc. Without one of these numbers, where applicable, we will not be able to acquire the necessary medical documentation from National Archives, and without the medical documents from the veterans period of service with the military, etc., we are unable to submit a claim. Additionally, when the dates of service are requested, it is understood that not everyone will remember their exact dates of service, but this is not a major issue, for once the medical documents are made available to the Provincial Service Officer they will also be able to see the exact dates of service.

**Page Four:** This section of the application deals with the veteran's quality of life, for the disability or disabilities being claimed, how they have coped with the condition and how it affects their daily lives.

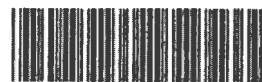
**Please Note:** Additionally, page 4 (4) also has a box in the upper right hand corner, which asks about **Third Party Compensation**. This box is to be completed by the veteran. They need only check yes, if they receive a compensation from a third party, for the condition for which they are making their application for, ie. Hearing Loss.

**Page Five:** This section of the application deals with the veteran's statement, for the disability or disabilities being claimed, and the link between their military service and their present day disability, that they are claiming for. It cannot be stressed strongly enough that the statement the veteran places here could be a major factor in the awarding of a successful application. This is where the veteran should provide as much detail as possible for support of their claim. If there is not enough room on the application, simply note "see attached" and complete the statement either hand written or typed and attach it to the application. Ensure the veteran also signs any attached statement.

**Page Seven:** This page of the application is simply a signed statement by the client or their POA, stating that the information enclosed is true and accurate, to the best of their recollection.

**NOTE:** if a Power of Attorney (POA) is signing as any of the required signatures on the application, then a copy of the POA for Property, must accompany the application, when it is provided to VAC Charlottetown.

**Release of Information Third Party Compensation:** This page of the application must be completed if the veteran, or their representative (POA), marked yes on page four of the application. This page must disclose the account/file number, and company name, of the individual for their claim. This will enable VAC to investigate the compensation received by the veteran and then, as necessary, make adjustments to the level of compensation that they (VAC) may provide.



**Disability Benefits  
(Pain and Suffering Compensation/Disability Pension)**

This application can also be completed on-line through "My VAC Account" as an easy-to-use guided Web form. Visit [veterans.gc.ca/myVACaccount](http://veterans.gc.ca/myVACaccount) to sign in or register.

These benefits recognize and compensate for pain and suffering experienced as a direct result of service-related disabilities. You may be eligible if you are a current or former member of the Canadian Armed Forces (CAF) or Royal Canadian Mounted Police (RCMP), and have a permanent medical condition or disability resulting from or aggravated by your service. For more information, or if you need help with this application, please see the contact details at the back of this form.

**Important information for first time applicants**

If this is your first time applying for a Veterans Affairs Canada (VAC) program, benefit or service, you must include proof of your identity with your application. We will accept a copy of any federal/provincial identification or vital statistics documentation, such as your Canadian passport, birth certificate, driver's license or a provincial health card.

Protected B when completed.

<b>A - Tell us about yourself</b>		Date of application (yyyy-mm-dd)	CSDN ID	File No.
Last name*		First name*		Middle name(s)
Salutation: Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. <input type="radio"/> Miss <input type="radio"/> Other <input type="radio"/> (specify)				
Date of birth (yyyy-mm-dd)			Maiden/other previous name(s)	
Mailing address (No., Street, Apartment No., PO Box, RR No.)			City/Town/Village	
Country		Province/Territory/State		Postal Code/ZIP
Telephone (Country Code, Area Code, No.) ( )		Other telephone (Country Code, Area Code, No.) ( )		
Which official language do you use in oral communications?			English <input type="radio"/>	French <input type="radio"/>
Which official language do you use in correspondence?			English <input type="radio"/>	French <input type="radio"/>
Are you an employee of Veterans Affairs?				Yes <input type="radio"/> No <input type="radio"/>
We are committed to protecting the privacy and confidentiality of all applicants. If you are an employee of Veterans Affairs certain steps are taken to protect your information in the workplace.				

If the above information is pre-filled and is not correct, please make the necessary changes.



Protected B when completed.

Last name*	First name*	CSDN ID	File No.
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Is your application related to service in the Second World War, Korean War or RCMP service?

If **yes**, please complete sections B, C and D (if applicable). If **no**, please skip to section E.

If your application is related to service in the Second World War, Korean War or RCMP, and the decision is favourable, you may be eligible for additional pension on behalf of your spouse/common-law partner and/or dependent children. Dependent children may include children under the age of 18, or under the age of 25 if in school, as well as incapacitated children of any age.

**B - Tell us about your marital status**

Marital status			
Married <input type="radio"/>	Common-law <input type="radio"/>	Married/Common-law (living apart) <input type="radio"/>	
Separated <input type="radio"/>	Divorced <input type="radio"/>	Widowed <input type="radio"/>	Single <input type="radio"/>
If you chose separated or married/common-law (living apart), please explain if this is due to medical reasons or other circumstances beyond your control.			

**C - Tell us about your spouse/common-law partner**

Spouse/common-law partner (last name, first name)		Maiden/other previous name(s)
Salutation: Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. <input type="radio"/> Miss <input type="radio"/> Other <input type="radio"/> (specify)		
Date of birth (yyyy-mm-dd)	Date of marriage or date common-law relationship began (yyyy-mm-dd)	
Has your spouse/common-law partner ever applied for disability or survivor benefits from VAC? Yes <input type="radio"/> No <input type="radio"/>		If <b>yes</b> , provide File Number
Service No.(s)/RCMP Regimental No.(s) (if applicable)		

**D - Tell us about your dependent children**

Dependant 1 (last name, first name, middle name)			
Date of birth (yyyy-mm-dd)	Relationship to you	Residing with you?	Yes <input type="radio"/> No <input type="radio"/>
Dependant 2 (last name, first name, middle name)			
Date of birth (yyyy-mm-dd)	Relationship to you	Residing with you?	Yes <input type="radio"/> No <input type="radio"/>



Fields with an asterisk (\*) are required.

Protected B when completed.

Last name*	First name*	CSDN ID	File No.
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**E - Tell us about your service**

Service No.(s)/RCMP Regimental No.(s) (if applicable)

Are you still serving? Yes  No

Type(s) of service (e.g., Regular Force, Reserve Force, RCMP, Second World War)*	Year of enlistment/enrolment* (yyyy)	Year of discharge (if applicable)* (yyyy)

Have you ever served as a member of the RCMP? Yes  No

If **yes**, you will have to complete a Consent for Veterans Affairs Canada to Collect Personal Information from Third Parties (VAC 928) form. When you choose "My complete file", you are consenting to your Service File and Medical File being released to us by the RCMP.

In some cases, service in a provincial or municipal police force may be counted as service in the RCMP. Please provide proof of any provincial or municipal police force absorbed service if it is related to your claimed condition.



Fields with an asterisk (\*) are required.



Protected B when completed.

Last name*	First name*	CSDN ID	File No.
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**F - Tell us about your condition (continued)**

Claimed condition

**Applicant statement**

Your applicant statement is your basis of claim. We will use this statement when considering your eligibility for disability benefits. When providing your statement, consider the following:

- How is this condition related to or aggravated by your service, or to another service-related condition?
- Did you seek medical attention?
- Was your condition caused by a single event or by a repetitive injury?
- Do you have a CF98 (Report on Injuries) or a witness statement related to the condition that you are applying to receive benefits for?
- Were you on leave or on duty at the time of your injury?
- Are there any other details you consider relevant to the injury/disability?

Tell us how this condition is related to or aggravated by your service.

Note - If you received medical attention for this condition, please complete the Consent for Veterans Affairs Canada to Collect Personal Information from Third Parties (VAC 928) form and provide the name and address of the physician/consultant from whom information can be obtained.

**Add condition**





Protected B when completed.

Last name*	First name*	CSDN ID	File No.
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### G - Use of your service records for disability benefit applications

Your service and service health records may be reviewed for evidence of a diagnosed medical condition or disability and to show that the condition or disability is related to your service.

Under the *Pension Act* and the *Veterans Well-being Act*, VAC has the authority to obtain a copy of your service records, as part of your application, directly from the Department of National Defence or Library and Archives Canada. On consent, RCMP will provide VAC with Service Health Records and service file documentation for the purpose of adjudicating disability benefits or health benefit applications.

The *Privacy Act* provides you the right to request a copy of your personal information held by a government institution and the right to request corrections or have a notation added to any recorded personal information. VAC has no authority to change or update your service health records. You may send your request to the Access to Information and Privacy section of the appropriate department:

- Department of National Defence [canada.ca/en/department-national-defence/corporate/transparency/access-information-privacy/request-forms.html](https://canada.ca/en/department-national-defence/corporate/transparency/access-information-privacy/request-forms.html); or
- RCMP Health Services (if you are still serving or have served with the RCMP) [rcmp-grc.gc.ca/en/access-information-and-privacy](https://rcmp-grc.gc.ca/en/access-information-and-privacy).

### H - Privacy notice

Veterans Affairs Canada (VAC) takes your privacy seriously. We are committed to protecting your personal information. The information provided on this form is collected under the authority of the *Pension Act*, the *Veterans Well-being Act*, the *Royal Canadian Mounted Police Superannuation Act*, and/or the *Royal Canadian Mounted Police Pension Continuation Act*. We will use the information to determine eligibility for disability benefits. Providing your information is voluntary. However, if you submit an incomplete form there may be delays. This personal information may be shared for case management purposes, to determine your eligibility for additional benefits, or for commemorative activities, where applicable. If you are awarded a disability benefit and are still serving with the RCMP, information will be shared as required, to enable the medical authorities to fully assess and respond to your health needs. The information shared is typically limited to your name, regimental number, home province, medical disability description and the effective date. Your personal information is managed based on the *Privacy Act*. The *Privacy Act* provides you with a right of access to your personal information, and to request changes to that personal information if it contains errors. If you are unhappy with how we handle your personal information, you can file a complaint with the Privacy Commissioner of Canada at 30 Victoria Street, Gatineau, QC, K1A 1H3. Additional information about how we handle your personal information can be found in the Information about Programs and Information Holdings publication found on our website, [veterans.gc.ca](https://veterans.gc.ca).



Fields with an asterisk (\*) are required.

Protected B when completed.

Last name*	First name*	CSDN ID	File No.
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**I - Checklist**

If applicable to your application, the following information is required to process your application:

<input type="checkbox"/> proof of identity for yourself.
<input type="checkbox"/> proof of identity for your spouse and dependants.
<input type="checkbox"/> applicant statement(s) and condition details for each of your conditions.
<input type="checkbox"/> a Consent for Veterans Affairs Canada to Collect Personal Information from Third Parties (VAC 928) form for each of the following: <ul style="list-style-type: none"><li><input type="checkbox"/> third party payments for your condition(s);</li><li><input type="checkbox"/> RCMP service file and medical file; and/or</li><li><input type="checkbox"/> any authorized party required to release information to us.</li></ul>
<input type="checkbox"/> a signature and the date in section J below.

**Important** - The Consent for Veterans Affairs Canada to Collect Personal Information from Third Parties (VAC 928) form allows us to collect the necessary information to process your application. A separate VAC 928 is required for each third party we must contact. For example, if you receive compensation from third party insurance and authorize us to contact your doctor, two VAC 928 forms are required.

**J - Declaration**

I acknowledge that I have read section G and section H.

Anyone who knowingly makes a false or misleading statement in an application is guilty of an offence.

I declare that the information provided here is, to the best of my knowledge, true and complete and knowing that it is of the same force and effect as if made under oath.

Signature	Date (yyyy-mm-dd)
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Power of Attorney

Check this box if you are signing as the applicant's Power of Attorney.



Fields with an asterisk (\*) are required.

Protected B when completed.

Last name*	First name*	CSDN ID	File No.
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**Before you send your application:**

**Attach medical documentation**  
If you have medical documentation supporting the diagnosis of your condition(s), please attach it to your application. Otherwise, we will contact you if additional medical documentation is needed.

**Attach consent for RCMP service file and medical files**  
If you served in the RCMP, please fill out a Consent for Veterans Affairs Canada to Collect Information from Third Parties (VAC 928) form to allow us to collect your service file and medical file in support of this application. [veterans.gc.ca/eng/forms/document/497](http://veterans.gc.ca/eng/forms/document/497)

**Attach consent to contact third parties**  
If you are awaiting, receiving, or have ever received payment for any of your claimed conditions from sources other than VAC, please fill out a Consent for Veterans Affairs Canada to Collect Information from Third Parties (VAC 928) form and attach it to this application. [veterans.gc.ca/eng/forms/document/497](http://veterans.gc.ca/eng/forms/document/497)

**Attach consent to contact other organizations**  
If you have seen a medical professional or other organizations about your claimed condition(s) please fill out a Consent for Veterans Affairs Canada to Collect Information from Third Parties (VAC 928) form to allow us to contact them in support of your application. [veterans.gc.ca/eng/forms/document/497](http://veterans.gc.ca/eng/forms/document/497)

**Attach proof of power of attorney**  
If you are filling out this application as a power of attorney, please provide supporting documentation and attach it to this application.

**Set up or change direct deposit**  
If you have not enrolled in direct deposit, or wish to change your direct deposit information, fill out and attach a Direct Deposit Request (VAC 441) form. [veterans.gc.ca/eng/forms/document/433](http://veterans.gc.ca/eng/forms/document/433)

<b>Return to:</b> Veterans Affairs Canada PO Box 6000 Matane, QC G4W 0E4	<b>For assistance, contact us:</b> Canada: 1-866-522-2122 (toll-free) 1-833-921-0071 (TTY) United States: 1-888-996-2242 (toll-free) United Kingdom, Germany, France or Belgium: 00-800-996-22421 (toll-free) Any other country: 1-613-996-2242 (collect) Or visit <a href="http://veterans.gc.ca">veterans.gc.ca</a> to find your nearest area office.
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Fields with an asterisk (\*) are required.

## APPLICATION FOR BENEVOLENT FUND ASSISTANCE

**NOTE:** This section should be read in conjunction with the **Poppy Manual**, specifically the **Do's and Don't sections**.

Actions taken in dealing with Benevolent Fund /Poppy Trust Fund requests should be made in concert with the policies defined in the Poppy Manual of The Royal Canadian Legion.

Branch Service Officers are required to be a member of the Poppy Trust Fund Committee, this enables them to provide guidance, and address applications to the committee. In providing this support, they should have a standard application form for Benevolent Funds, for use at the branch level. Additionally, they should be familiar with the application form, and process used by the Provincial Service Officers, when dealing with requests for financial assistance.

Therefore, it is recommended that the Benevolent Fund Application which should be used by all Service Officers, of The Royal Canadian Legion.

A copy of the two pages, of the Benevolent Fund Application, is located at the end of this section.

When either VAC or any other agency is approached by a veteran or their spouse/dependants, who are seeking financial assistance with the purchase of emergency medical services or other financial concerns as addressed by The Poppy Manual of The Royal Canadian Legion, they will prepare the Benevolent Fund Application, and forward it to the appropriate Provincial Service Officer. However, on occasion, they may forward the application directly to one or more branches, at the same time, in an attempt to find a total resolution to the financial request.

Branch Service Officers receiving these requests should alert their respective Provincial Service Officer to ensure that this is a valid request. Branch Service Officers should only expect to receive requests for funding support from either Provincial Headquarters or from a Provincial Service Officer.

The Benevolent Fund Application is an excellent document, for financial disclosure, as it requires the applicant to show their monthly income, monthly expenses, and also list their debts by credit cards separately.

When an individual is making an application for emergency financial assistance, for medical or other financial issues that may arise, from Ontario Command Poppy Trust Funds, The Soldiers Aid Commission of Ontario, the Royal Canadian Naval Benevolent Fund, or from The Canadian Forces Personal Assistance Fund, they will be required to complete the Benevolent Fund Application. The application shall normally be sent to the respective Provincial Service Officer. In all cases, an unpaid invoice or quote for the services (ie dental work, glasses, hearing aids, roof repairs etc.) shall be provided, a copy of Proof of Service for the veteran, and Proof of Income for all contributors in the household. Individuals, who are clients of VAC, can have their

service information confirmed through their VAC records. Legion clients can have their information confirmed by a Provincial Service Officer.

**NOTE:** only in an exceptional circumstance will reimbursement of funds be made for services that have already been received and paid for by the applicant.

The veteran may seek the assistance of a Branch Service Officer in the completion of their Benevolent Fund Application. The first information to be completed is the identification of the veteran, along with their service number, and their theater of service, if applicable.

This section is followed by the information of the spouse, widow and dependents (if applicable). Regardless of who the financial assistance is for, the veteran's information must always be placed in the top portion of the application. This information is followed by information on anyone else who may be residing with the applicant, and their contribution, if any, to the household. Branch Service Officers should record only the information as provided to them. If a family member resides with the applicant, and pays no rent, or provides no financial support into the household, then that is the information that should be provided.

The next block is information on any previous assistance provided, along with a brief description of the requirements for this request. This block is followed by any and all real estate owned or co-owned by the applicant. The final block on page one, deals with cash on hand, vehicle type and value, insurance value if any, and investments or bonds etc.

The back side of the application, or page two, deals with outstanding debts. This area is for all credit cards, lines of credit, the outstanding balance(s) and the monthly payment required. This page is then divided into two parts, Monthly Income and Monthly Expenses. When completing this area, we are asking for all income that is brought into the house. If you encounter a situation where the spouses do not share their income, complete the application and note this. Provincial Headquarters or a Provincial Service Officer will deal with this issue. All interest income shall also be listed. The applicant should be informed that they may be asked to provide copies of their bank statement, to verify these numbers.

The second column is designed for expenses. The amount listed here should be what one can reasonably expect a single or married couple to spend to live from month to month. The approach to obtain a zero balance or to create a deficit for the expense to income columns will illustrate current financials and sustainability. List the honest amounts spent. Remember that a request for copies of monthly bill statements may be required to support numbers listed.

If the completed application is just for a level of assistance that can be managed at the branch level, then the application should be presented to the Poppy Trust Fund committee for approval. If it is being sent to the Provincial level, the application, along with the quotes/unpaid invoices, shall be included with the application. Additionally, a note from the Branch Service Officer on the amount that their Poppy Trust Funds can contribute should be noted on the application or in a covering letter.

The information presented should allow a Branch Service Officer to assist a veteran or their spouse/dependant with preparing a claim for submission to the Provincial Service Officer for potential VAC assistance prior to other benevolent funding.

The Terms of Reference for a Branch Service Officer outlines the possible duties that they are expected to undertake when they assume responsibility for the position of Branch Service Officer.

As Branch Service Officers are involved with benevolent fund requests at branch level, they are the recipient of requests for the branch to participate in larger funding from Provincial Headquarters. They should have an understanding of the process used to arrive at the completion of a Benevolent Fund Application. In addition, this form should be considered for all Branch Service Officers when completing applications for financial assistance, even at the branch level.

The above information is a guide to assisting veterans and their spouses. The Branch Service Officer must remember to read the Service Officers Booklet published on a bi-annual basis by Dominion Command. Additionally, they should be familiar with the contents of the Poppy manual.

Each Branch Service Officer has at their disposal the Zone Service Officer, and the District Service Officer. Major issues or concerns should be addressed to them first. Contact with their respective Provincial Service Officer will be on a case by case basis.



### Benevolent Fund Application

POPPY  RCNBF  ALLIED  VAC  SOT  OTHER Please specify: \_\_\_\_\_  
 Use a blank sheet of paper if additional space is required for any of the following questions.

1) Service identification of eligible Veteran					
Family name	Given name(s)		Service No.	Rank	Date of birth
Enrolment date	Release date	Unit	Location (if serving) Country & Service (if Allied)		

2) Address	
Home address of applicant	Telephone number and email of Veteran/applicant

3) Family particulars (All those residing in the house)				
Name	Relationship to Veteran		Age	Single or married
Employment	Monthly Income	Monthly contribution to household	Health	
Name	Relationship to Veteran		Age	Single or married
Employment or school	Monthly Income	Monthly contribution to household	Health	

4) Summary		
State previous assistance (Name of Fund)	Date	Amount
Problem and type of assistance requested		

Remarks, special instructions and recommendations of interviewer
--

5) Real estate owned by Veteran/applicant and/or spouse/common-law partner		
Name(s) of registered owner	Location	
Description	If private dwelling, state number of bedrooms	
Cost price	Current value	Amt. of Mortgage-loan

6) Assets of Veteran/applicant and spouse/common-law partner				
<b>Assets</b>	<b>Value (\$)</b>	<b>Assets</b>	<b>Value (\$)</b>	
Available cash resources	\$	Insurance - Surrender Value	\$	
Auto- Year and make	\$	Bonds - Other investments	\$	
2nd vehicle	\$	Other assets	\$	
<b>A Total</b>	\$	<b>B Total</b>	\$	<b>A + B =</b>
				<b>Total</b>

7) Debts						
Name and address of creditors	Articles or services obtained	Date incurred		Original amount (\$)	Monthly repayment rate (\$)	Balance Owng (\$)
<b>Total</b>						

8) Monthly Income			Monthly Expenses		
Salary of Veteran or applicant		\$	Food and personal care		\$
			Rent		\$
			Mortgage (including interest)		\$
			Property taxes		\$
			Clothing		\$
Salary of spouse		\$	Utilities	Electricity	\$
Contributing wage earning	Children residing at home	\$		Water	\$
	Children not residing at home	\$		Phone	\$
	Rents from tenants and boarders	\$		T.V.	\$
Pension or other annuities (specify) (Veteran)		\$		Internet	\$
			Home Fuel	\$	
			Insurance (Medical, Life, Property etc)		\$
			Transportation/Car expenses/gas		\$
			Pension plans		\$
Pension or other annuities (specify) (Spouse/widow)		\$	Child/Spousal Support		\$
			Mess dues (if serving)		\$
			Recreation		\$
			Continuing medical expenses		\$
			Other, include debt from above		\$
A Total income		\$	B Total expenses		\$
B Total expenses		\$			
A-B=	Monthly surplus <input type="checkbox"/>	\$	State total family gross income for past 12 months (attach pay information slips or most recent income tax summaries)		\$
	Monthly deficit <input type="checkbox"/>	\$			
Veteran's/applicant's Signature		Spouse's/common-law partner's signature (if readily available)			Date
Application approved <input type="checkbox"/>		If application declined, reason for declining			Date
Application declined <input type="checkbox"/>					

**PRIVILEGE AND CONFIDENTIALITY NOTICE:** The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient, it may be unlawful for you to read, copy, disclose or otherwise use the information in this communication. If you received this information in error, please contact the sender and delete / destroy the material immediately.





## THE SUPPLY SYSTEM FOR LEGION ITEMS

Branches may obtain Legion products from both National and Provincial Headquarters.

The National Headquarters provides all regalia items and various sundry consumer items through the central supply system.

The current catalogue and products available can be found in the supply section of the National Headquarters web site at [www.legion.ca](http://www.legion.ca). These products are ordered directly from the National Headquarters at 1-888-301-2257 and through the following email address: [supply@legion.ca](mailto:supply@legion.ca). Legion Branches and Members can shop on-line at [www.poppystore.ca](http://www.poppystore.ca)

Past officer medals/bars are ordered directly from National Headquarters.

Provincial Headquarters still produces a number of items and issues a small price list on a regular basis. All items on the **Provincial Supplies** price list can be ordered from the Provincial Headquarters by phone 1- 888-207-0939 (toll free) , 905-841-7999 (local) 905-841-9992 (fax) or by email at [resale@on.legion.ca](mailto:resale@on.legion.ca).

Ontario Command encourages Branches to order items thru Dominion Supply, as provincial commands receive a percentage rebate from net profits.

Please refer to Section A (The Branch) in this manual for information relating to the Legion Trademark Policy

### **Manuals for Legion Officers**

The National Headquarters has ceased publishing manuals in print form. They are available to download (pdf format only) online at [www.legion.ca](http://www.legion.ca) under Branch/Command Resources and then the appropriate committee.

The Provincial Headquarters is currently printing six (6) publications and they are available at various costs.

**Manuals are frequently updated, and it is important to ensure that the branch is always in possession of the most current edition. Branches are advised when new material becomes available.**

The decisions made at each Dominion/Provincial Convention will quickly make some of the information in manuals out-of-date. It is, therefore, important to review carefully and to be aware of the changes contained within the Convention Reports, as manuals (other than the By-Laws) are not necessarily reprinted immediately following conventions.

**The following is a list of some of the manuals you will need at branch level:**

**National Headquarters** [www.legion.ca](http://www.legion.ca) (Branch and Command Resources)

**DIGITAL ONLY** [Downloadable]

- Act to Incorporate
- General Bylaws
- Rules of Procedure for Legion Meetings
- Branch Leadership Manual (historical reference only)
- Public Relations Manual
- Public Relations Training Booklet
- Service Officer Handbook
- Poppy Manual
- Teaching Guide (Youth Education)
- Ritual Awards and Protocol Manual
- Chaplains Manual
- Sports Guide
- Property Manual
- Senior Support Guideline
- Snapshots guideline (Legion Magazine website)
- Membership Guideline

**Provincial Command Headquarters** [www.on.legion.ca](http://www.on.legion.ca)

**PRINTED:** go to Shopping | Price List - (nominal fee plus shipping & HST)

- Legion Officers Manual (E33102)
- Ritual Awards & Protocol Manual (E33090)
- General (Dominion) Bylaws (E33100)
- Provincial Bylaws incl. General Bylaws for Branches (E33101)
- Provincial Sports Manual (E33119)
- Property Manual (E33120)

**DIGITAL** | read only - go to Forms and Manuals

- Legion Officers Manual [future updates will be downloadable]
- Property Manual
- Provincial Sports Manual
- Provincial Bylaws incl. General Bylaws for Branches
- Ladies Auxiliary Bylaws

The above list is not a complete list of all publications but a guide for some of the most essential branch materials.

## COMMUNICATION

Most official business and internal interactions are conducted through various channels of communication such as formal and informal business meetings, presentations, workshops, memos, and reports etc.

Another form of communication is Legion business correspondence which should normally be addressed to the Secretary and **must** be placed on the agenda for the Executive and General Meetings. This correspondence belongs to the Branch, not to individual members. If correspondence is addressed to a committee chairman at their home address, a copy must be given to the Secretary for the meeting agenda, and the chairman should report same to the Executive Meeting. This also includes emails which are the communication of choice these days, often replacing postal mail and phone calls. Check emails at least once a day and respond promptly.

Remember every member has the right to be kept informed of what is going on in Legion - this is what keeps them interested in Legion activities. The only secrets are employee information - Veterans' Service numbers and members' personal information.

Emails are also a great way to communicate quickly with members between meetings. Sending out newsletters by email to save costs,

Good internal communication is absolutely essential for engaging members and keeping everyone focused on what matters.

All through school we're taught to read, write, and speak we're seldom taught to **listen** - an essential form of communication. Good people managers are likely to **listen** more than they speak- Every member's point of view is very important.

Good Communication opens up countless opportunities to listen to what others have to say. And they have the right to be heard. When you take the time to listen, you also learn. And when people feel that they are being heard, they talk about the most incredible things, with an insight that is proactive.

Communication is a two-way street and is one of the biggest problems in Legion today. As the Branch Executive becomes informed of new things, so they must pass them on to the General Membership. The Executive must act promptly on meeting decisions.

**Communication must be a top priority - every member is a key part of their Legion and to keep them interested, let them know what is going on - listen to their input through personal contact, emails, newsletters, phone calls etc. Notice boards don't reach those that do not come to the Legion often.**

When we take the time to listen, not just to the words but the message behind the words, that message can be one of awe. One that may emanate from the resounding truth of an innocent new member, to the pearls of wisdom bestowed upon us by a longer serving member.

Take some time to relax and encourage your members to communicate with you. Listen and always respond. By doing so you will find that it will not only bring your Branch new ideas but will also invite members to become more active.

In order to communicate properly, it is therefore important that all communications are passed onto Branches. It is also important that Branch Secretaries distribute the various communications received and ensure they are placed on to their Executive and General Meetings Agendas and also have them posted on the Branch bulletin boards if directed by the Executive Committee.

To further assist with the electronic communication system, it is important that our Provincial Headquarters receives regularly updated Branch, Zone and District Profile information.

## NATIONAL LEGION POLICIES

Branch Officers and members are reminded that they are not to make public statements regarding Legion policy, without the prior approval of the appropriate Command, on matters of a provincial or national nature – GBL Section 104.

Matters may arise which would require the necessity of the National Headquarters to issue a policy statement. At that time, the information would be disseminated to the Provincial Headquarters and on down to the Branches. It is also posted on their website: [www.legion.ca](http://www.legion.ca) under *For Members & Branches, Branch and Command Resources*, and then the *By-Laws and Branch Management* section.

Currently there are three such policies which are included below in this section.

- Stolen Valour
- Hate Groups
- Outlaw Motorcycle Club/Street Gang Colours



## **Legion policy: Stolen valour**

Branches may become aware of suspected cases of Stolen Valour through a number of possible ways:

- From members,
- From Legion Levels of Authority who would in turn have found out through a member complaint or from Stolen Valour Canada (SVC),
- On line, through social media, report from the public, or the SVC website.

In any of these cases, it is important to respect our members' right to due process and to have their side heard. At the same time, fraudulent wearing of medals or uniforms is a federal crime, and branch executives are responsible to protect their branch's reputation and the reputation of the Royal Canadian Legion.

When made aware of suspected Stolen Valour, branch Presidents are to:

- Identify someone who can speak to the person accused of Stolen Valour. That individual can be the President themselves, or a trusted member of the branch who the person accused is comfortable talking to,
- Explain the accusation to the person, and explain the potential impact on the branch and the Legion if it were to be true.
- Give the person the opportunity to tell their side of the story. Ideally, the conversation will either clear up the situation by providing the President evidence that there is no case, or it will allow the person accused the opportunity to understand the potential harm they could cause and give them an opportunity to redeem themselves by surrendering those items that they were wearing fraudulently.
- Report to their Command headquarters through the appropriate channels how the issue has been resolved.

If the individual in question refuses to surrender the decorations or medals and cannot provide a reasonable explanation as to their validity, a branch president has some options:

- They can notify law enforcement authorities of an alleged breach of Criminal Code S. 419,

- If any member believes that the alleged Stolen Valour constitutes conduct that brings or tends to bring the Legion into discredit, a complaint can be lodged under Article III of the General By-Laws. As per General By-Law 304H, a branch president may deprive the member against whom the complaint is lodged of clubhouse privileges and remove them from office or position.
- Additionally any member convicted in Canada of an offence under section 419 of the Criminal Code of Canada (Stolen Valour), shall be summarily expelled from the Legion as per The General By-Laws article 203.

It is not recommended that the branch President officially engage with or solicit assistance from SVC; they are not an arm or resource of the Royal Canadian Legion and should not be treated as such. However, the member accused of Stolen Valour are to be made aware that SVC rarely lets an allegation go if they believe they have a case.





## Politique de la Légion : Imposture militaire

Les filiales peuvent être informées de cas présumés d'imposture militaire de plusieurs façons, notamment :

- de la part des membres,
- de différents niveaux d'autorité de la Légion suite à une plainte d'un membre ou de *Stolen Valour Canada* (SVC);
- en ligne, par le biais des médias sociaux, de rapports du grand public ou sur le site Web de SVC.

Quelque que soit le cas, il importe de respecter le droit de nos membres à une procédure équitable et d'entendre leur version des faits. Cela dit, le port frauduleux de médailles ou d'uniformes est un crime fédéral, et les dirigeants de filiale ont la responsabilité de préserver la réputation de leur filiale et, partant, celle de La Légion royale canadienne.

Lorsque mis au courant d'un soupçon d'imposture militaire, le président de filiale verra à :

- identifier une personne-ressource qui pourra parler à la personne accusée d'imposture militaire. Il peut s'agir du président lui-même ou d'un membre de confiance avec qui la personne accusée pourra parler ouvertement;
- expliquer l'accusation à la personne et lui faire comprendre l'impact potentiel sur la filiale et la Légion si cela devait s'avérer;
- donner à la personne l'occasion de raconter sa version des faits. Idéalement, la conversation éclaircira la situation en fournissant au président la preuve qu'il n'y a pas d'usurpation, ou encore permettra à la personne accusée de comprendre le préjudice potentiel qu'elle pourrait causer et lui donner l'occasion de faire amende honorable en retirant les articles qu'elle porte de façon frauduleuse;
- faire rapport à sa direction provinciale par les canaux appropriés sur la façon dont le problème a été résolu.

Si toutefois la personne devait refuser de retirer les décorations ou les médailles, et ne peut fournir une explication valable quant au bien-fondé de leur possession, le président de la filiale aura alors certaines options :

- il/elle peut aviser les autorités chargées de l'application de la loi d'une infraction présumée, conformément à l'article 419 du Code criminel,

- si quiconque croit que l'imposture militaire présumée constitue une conduite qui discrédite ou tend à discréditer la Légion, une plainte peut être déposée en vertu de l'Article III des Statuts généraux. En effet, conformément à la sous-section 304.h des Statuts généraux, le président d'une filiale peut priver un membre, contre qui une plainte a été déposée, de son privilège d'accès au local et le démettre de ses fonctions ou de son poste.
- de plus, tout membre reconnu coupable au Canada d'une infraction à l'article 419 du Code criminel du Canada (imposture militaire) sera sommairement expulsé de la Légion conformément à l'article 203 des Statuts généraux.

Il n'est pas recommandé que le président de filiale demande officiellement la collaboration ou sollicite l'aide de la SVC; cette organisation n'est pas un représentant ou une ressource de La Légion royale canadienne et ne devrait pas être traitée comme telle. Toutefois, tout membre accusé d'imposture militaire doit être informé que la SVC laisse rarement passer une allégation si elle croit avoir une preuve.



### **Legion policy: Hate groups**

The Royal Canadian Legion does not support or tolerate any group or organization whose views or actions are contrary to our values and those of our country. The beliefs of any group with which we interact must align with and reflect the Legion's founding Articles of Faith and General By-laws.

As such, no Branch or Command within the Legion may affiliate itself in any manner whatsoever with a group or organization that promotes or is known to promote hatred or violence due to ethnicity, religion, gender, sexual orientation or any other social determinant. This also applies to Legion support of groups affiliated with organizations that espouse hostility.

Command and Branch Executive, and Legion members must use their best judgement to ensure policy compliance. The ultimate determination as to what constitutes a prohibited group lies with Dominion Command; its determination is final and will govern.

Any Branch or Command having doubts about a group's history or its suitability to associate with the Legion, must obtain advice from Provincial Command or Dominion Command, respectively.

Noncompliance with this policy is punishable up to and including an Article III expulsion within the Legion's General By-laws.

### **Politique de la Légion : Groupes haineux**

La Légion royale canadienne ne cautionne ni ne tolère aucun groupe ou organisation dont les opinions ou actions sont contraires à ses valeurs et à celles de la nation canadienne. Les valeurs de tout groupe avec qui la Légion entretient des rapports doivent refléter, et s'aligner avec, les Articles de Foi de ses membres fondateurs et ses Statuts généraux.

Par conséquent, aucune filiale ou direction de la Légion ne peut s'affilier de quelque façon que ce soit à un groupe ou à une organisation qui fait, ou contribue à, la promotion de la haine ou de la violence en fonction de l'ethnie, de la religion, du genre, de l'orientation sexuelle ou de tout autre critère social. Cela s'applique aussi bien à leur soutien à tout groupe affilié à de telles organisations.

Tout membre de comité exécutif de direction et de filiale, et les membres de la Légion doivent utiliser un rigoureux discernement pour assurer le respect de cette politique. La décision finale quant à ce qui constitue un groupe frappé d'interdiction revient à la Direction nationale et dictera la conduite à suivre.

Toute filiale ou direction ayant des doutes sur les antécédents d'un groupe ou son aptitude à s'associer avec la Légion verra à consulter sa direction provinciale ou la Direction nationale.

Tout manquement à cette politique est passible d'une peine pouvant aller jusqu'au renvoi en vertu de l'Article III des Statuts généraux de la Légion.

## **The Royal Canadian Legion Policy**

### **Statement**

#### **Wearing of Outlaw Motorcycle Club/Street Gang Colours At Legion Events**

“In the last few years, researchers and psychologists have looked beyond motorcycle riding as purely an adrenaline kick. They’ve discovered that motorcyclists find riding to be a therapeutic process that allows them to de-stress. Riding motorcycles is good therapy.”<sup>1</sup>

#### **Background**

Veterans come in all sizes, shapes and forms but what is clear is that the motorcycle community attracts many veterans for various reasons. As mentioned above, riding a motorcycle is a form of therapy and also camaraderie that some veterans find appealing.

In Canada, there are many Veteran motorcycle groups across the country that support and ride on behalf of causes supporting Veterans. In a majority of instances, monies raised through these rides assist Veterans in their daily lives either through direct support and / or research activities. Legion Riders, <http://www.legion.ca/communities-youth/legion-riders>, is one way for Legion members to become involved in both communities.

Motorcycle groups, regardless of cause, are often viewed in a stereotypical manner that may be less favourable than other groups. It is interesting to note, that groups like the Hell’s Angels were started by Second World War fighter pilots who continued to seek the thrill and exhilaration they had in a fighter airplane.<sup>2</sup>

Groups such as the Hells Angels and others have now been classified as outlaw motorcycle clubs (OMCs) because of their actions and involvement in criminal activities.<sup>3</sup> Members of such motorcycles clubs, which are considered organized crime groups,<sup>4</sup> can be identified by the distinctive clothing (i.e. “Colours”<sup>5</sup>) and patches they wear (i.e. 1% patch<sup>6</sup>), which clearly identify them as a member of an OMC.

#### **The Issue**

Last year, during a Remembrance Day Ceremony at a branch in Ontario, members of the Outlaws MC and Black Pistons MC<sup>7</sup> attended the ceremony dressed in full patch colours. The members of these OMCs were Veterans who wore their service medals on their colours. They placed a wreath at the ceremony than attended the post ceremony functions inside the Legion branch. At the same ceremony, there were uniformed service members and RCMP in full dress uniform.

Following this incident, an inquiry was received both at Dominion Command and at the branch level as to the appropriateness of allowing OMC members wearing colours to participate in a Legion event. A meeting with members of the Criminal Intelligence Service Canada (CISC), the RCMP, Military Police, and local law enforcement then took place to address concerns regarding OMCs and Street Gangs.

As a result of the meeting, the following was ascertained:

- Although the members of the Outlaws and Black Pistons MCs were veterans, it was clear that they were attempting to use the good image of the Legion and CAF to support a level of legitimacy for the group and acceptance.
- The wearing of OMC / street gang colours, while not illegal, serves to act as a level of intimidation in local communities.
- For service and law enforcement members, it is not advisable that they associate with known members of OMCs/street gangs as this could compromise their security.
- The policy of the CAF is clear: “to ensure that the CAF reflects the Canadian ideals of diversity, respect and inclusion, and that it provides a workplace free from harassment and discrimination, the following conduct is prohibited:
  - Participation in an activity of, or membership in, a group or organization that a CAF member knows, or ought to know, is connected with criminal activities, promotes hatred, violence, discrimination or harassment on the basis of a prohibited ground of discrimination as defined in the Canadian human rights act (CHRA). Prohibited activities include those related to groups that a CAF member knows, or ought to know, promote racism, sexism, misogyny, violence, xenophobia, homophobia, ableism and discriminatory views with respect to particular religions or faiths. If in doubt, CAF members are expected to seek guidance from their chain of command as to whether the activity or the membership would contravene these rules.”<sup>8</sup>
- In many jurisdictions, there are laws *and understandings amongst local business leaders that prohibit the wearing of OMC colours and access to local businesses and certain public events.*
- CISC representatives have made themselves available for further support to the Legion when required.
- The Legion’s own Article of Faith state: Maintaining in andfor Canada the rule of law - encouraging the national and united spirit - ordered government - and striving for peace, goodwill and friendship between Canadians and among all nations.<sup>9</sup>

## The Solution

Clearly, associating with known members of an OMC / street gang does not easily coexist with the notion that our Veterans served and sacrificed to protect our way of life and our laws. **Nor does it comply with our own Articles of Faith.** Although some Veterans have become part of the OMC culture, it would be considered disrespectful to continue to permit those individuals, while dressed in OMC / Street Gang colours, to participate in Legion Events, such as Remembrance Day Ceremony, even though they want to honour their Comrades. It would not be considered disrespectful to participate if they refrained from wearing their colours *or other groups that support and promote ideologies that are contrary to the Article of Faith and to values of Canadian's.*

Therefore, the following policy statement is offered for consideration and dissemination across the Legion:

**RECOMMENDATION:** It is recommended that the following policy be adopted by the Legion. The wearing of OMC / street gang colours not be permitted at Legion events and premises as this is contrary to the Legion's Articles of Faith and disrespectful of the sacrifices made by our Veterans.

The implementation of the policy will be a matter of communicating in our local communities that the practice of wearing OMC / street gang colours is unacceptable and persons wearing these colours will be asked to remove their colours, or invited to leave the event should they choose not to remove their colours. In considering the above, street gang colours *and other groups who promote similar ideologies* are considered to represent the same identification symbolism as does OMC colours.

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<sup>1</sup> <https://motorcyclershippers.com/2016/07/veterans-riding-therapy/>

<sup>2</sup> <https://www.thestar.com/news/canada/2018/03/09/members-of-canadian-military-banned-from-associating-with-outlaw-bikers.html>

<sup>3</sup> <http://nationalpost.com/hells-angels-in-canada>

<sup>4</sup> RCMP. Organized Crime, definition. <http://www.rcmp-grc.gc.ca/fs-fd/org-eng.htm>

<sup>5</sup> "Colours" refer both to the official emblem of the gang and a member's sleeveless denim or leather jacket

<sup>6</sup> A distinguishing mark between a riding club and an outlaw biker club is a "1%" inside a diamond patch. <http://nationalpost.com/hells-angels-in-canada>

<sup>7</sup> Both groups, Outlaws and Black Pistons MC, have been identified as 1% OMCs by CISC.

<sup>8</sup> CANFORGEN 016/18 CMP 008/18 012210Z FEB 18 - CDS DIRECTION ON PROFESSIONAL MILITARY CONDUCT

<sup>9</sup> General By-Laws RCL page vii.