



Branch Regulations

General By-Laws for Branches Ontario Provincial Command



GUIDELINES FOR BRANCH REGULATIONS

The following guidelines have continued to be revised through suggestions and situations forwarded by Branches and other involved parties within the Command. Their intent is to assist Branches and provide the basic rules and mechanism for the creation and maintenance of Branch Regulations. The Templates found on the Command Website should be checked on each occasion when making changes to the Branch Regulations or submitting a new Form 3 to ensure that the most current edition is being used. The date of the form is found on the lower right corner of each page for reference purposes and Facsimiles will not be accepted.

LIST OF REGULATIONS

This list provides guidance respecting all Sections to which a Regulation either must or may be crafted by a Branch. The compulsory regulations are required by all Branches and are denoted by (***) in the left column. Items marked (+++) are mandatory for all Branches that have a Ladies' Auxiliary. The list also provides some clarification respecting the application of each Section. Non-compulsory sections may be included at the discretion of the Branch and should the Branch not wish to include the Section, the Section on the Form 3 should be left blank with no entry within any area of the subject Section. Please Note that the use of abbreviations, symbols, acronyms e.g. 1st, 2nd, 3rd, weekdays, months, &, @, etc. are not to be used in an effort to avoid confusion and retain consistency. Further the use of titles must conform to those used elsewhere e.g. First Vice-President, Second Vice-President, Third Vice-President, Sergeant-at-Arms, Branch Chairman, Chaplain, and Secretary-Treasurer.

The Form 3 titled 'BRANCH REGULATIONS TO THE GENERAL BY-LAWS' and any applicable attachments become the only legal extension of the said By-Laws.

LEGEND

- GBL - The General By-Laws (Current Edition)
- GBLO - The General By-Laws of Ontario Provincial Command (Current Edition)
- GBLB - The General By-Laws for Branches (Current Edition)
- e.g. - For Example
- i.e. - That is

	GBLO Section	Regulation Subject
	1207.	TOTAL FUNDS HELD - <i>This provides the opportunity to Branches to ensure that their Ladies' Auxiliary retain a set total of funds in all their account at the end of the fiscal year.</i>

	GBLB Section	Regulation Subject
	404	ATTENDANCE ELIGIBILITY – <i>This expands the eligibility requirements for election to Office at Branches that choose to include this provision and the Branch must decide which Item will apply. An attendance log must be maintained and it is suggested that the time period be listed in months e.g. twelve (12) or a year rather than Term. NOTE: Regardless of the Item activated, the eligibility must have been attained prior to the date of the Election meeting.</i>
	409	TERM OF OFFICE – <i>Change the Branch Term of Office to a Two (2) Year Term. NOTE: A change in Term only becomes effective at the expiration of the current term pursuant to S. 911. (3) GBLO.</i>
	501. (1)	VICE-PRESIDENTS – <i>Increase the number of Vice-Presidents from two (2) to three (3).</i>

Guidelines for Branch Regulations Continued

GBLB Section	Regulation Subject
***	<p>501. (2) <u>OFFICE(S) IDENTIFIED – ELECTED OR APPOINTED</u> – Choose the applicable Office(s) and determine whether it will be an elected or appointed position. The Offices of Secretary and Treasurer or Secretary-Treasurer must be entered in one of these two Item areas. The optional Offices in this case only apply to those having an installation ceremony in the Ritual and Insignia Manual i.e. Sergeant-at-Arms, Chairman, Branch Service Officer and Chaplain. <u>The Senior Elected Officers and Executive Committee Members are not to be included as their election is covered elsewhere.</u> Further if the Branch fails to elect the required number of Executive Committee Members, the GBLB under S. 503. provides the authority to the Executive Committee to appoint the remaining required number to fulfill the number of positions as declared under S. 502. GBLB. NOTE: The Branch <u>must</u> have a Veterans Services Chairman pursuant to S. 601. (1) GBLB and the optional Branch Service Officer is a separate Office for which there is a separate installation procedure. Further the use of the titles Chaplain (in place of Padre) and Branch Service Officer are consistent with their use in the Ritual and Insignia Manual and their respective manuals.</p>
***	<p>S. 502. <u>EXECUTIVE COMMITTEE MEMBERS</u> – Choose a <u>specific</u> number (The standard minimum is six [6] members.) NOTE: Should there be insufficient members running to fill the number required, the remainder may be appointed to fill the vacancies by the Executive Committee once the new Term starts as noted above under S. 501 (2).</p>
+++	<p>513. (1) <u>BRANCHES WITH A LADIES’ AUXILIARY</u> – Enter the type of Meeting i.e. General, Annual or Election and the month that a Liaison Officer will be appointed i.e. First General Meeting, etc. NOTE: This Section is mandatory for every Branch that has a Ladies’ Auxiliary and the appointment by the President can only be made after the start of the new Term of Office</p>
+++	<p>513. (2) <u>BRANCHES WITH A LADIES’ AUXILIARY</u> - Decide when the two joint meetings will be held during the year (June-May) including the start time and <u>am</u> or <u>pm</u>. NOTE: This Section is mandatory for all Branches that have a Ladies’ Auxiliary.</p>
	<p>601. (3) <u>OTHER COMMITTEES ESTABLISHED</u> - Identify all other Branch Standing Committees which may include such Committees (defined as a group, board, team, etc.) as Bar, Branch Regulations, Bursary, Finance, Honours and Awards, Housing, Lottery, Property, Poppy Trust Fund, Resolutions, Sick and Visiting, etc. NOTE: Do not include <u>mandatory Standing Committees</u> as listed under S. 601. (1) GBLB. Further if any optional Standing Committee is not listed within the Branch Regulations, there is no other authority for its creation.</p>
	<p>601. (4) <u>OTHER POSITIONS ESTABLISHED</u> - Identify other Branch Positions e.g. Cadet Liaison Officer, Parade Marshall, Special Event Coordinator, etc. which are not provided for elsewhere within the Branch Regulations and who file a report(s) to the Executive and/or the Branch outlining their activities.</p>
	<p>703. (3) <u>DUTY RE NEW MEMBERS</u> - Another member e.g. Membership Chairman, etc. may be designated to complete the duty associated with presenting copies of the By-Laws and a Legion Badge. If not activated, the duty remains with the Secretary. NOTE: There are two Items listed under this Section and if the Branch chooses to include this provision, only one Item must be activated. The difference between the two Items is the inclusion of the General By-Laws of Ontario Command under Item (2).</p>
	<p>703. (4) <u>ELECTRONIC RECORD STORAGE – SECRETARY</u> - Other provisions and legislation may dictate what physical documents must be retained for future reference and this does not prohibit Branches from also using a physical means of record i.e. Minute Books, etc.</p>
	<p>704. (2) <u>ELECTRONIC RECORD STORAGE – TREASURER</u> - Other provisions and legislation may dictate what physical documents must be retained for future reference and this does not</p>

Guidelines for Branch Regulations Continued

GBLB Section	Regulation Subject	
	<i>prohibit Branches from also using a physical means of record i.e. Accounting Books, etc.</i>	
708.	<u>EXPANSION OF DUTIES RE OFFICERS AND EXECUTIVE COMMITTEE MEMBERS</u> - <i>Should the Branch wish to include other specifics which are not included in the applicable Sections of the By-Laws rather than including the full list of duties in a Policy and Procedure Manual, they can be attached as a separate document to the Regulations. This Section only applies to those Offices listed under Article VII of the GBLB and only allows for the inclusion of those duties not found within the aforementioned Article. Further any additional duties listed for Executive Committee Members must apply to all such members. SEE NOTE NO. 1 ON LAST PAGE.</i>	
709.	<u>COMMITTEES ETC. DUTIES / TERMS OF REFERENCE (excluding Employees)</u> - <i>Should the Branch wish to include these specifics rather than have them maintained in a Policy and Procedure Manual, they can be attached as a separate document to the Regulations. Please note that many positions are already covered by Legion Manuals specifically dedicated to the position and therefore those positions are not to be included in this attachment. SEE NOTE NO. 1 ON LAST PAGE.</i>	
710.	<u>CLUB WITHIN A BRANCH</u> - <i>Identify any separate clubs within the Branch which only consists of Legion Members and are administered by Officers of the Branch with their funds administered by the Branch Treasurer. This does not include any sports club or other group that falls under the mandate of a Branch Committee and is administered by said Committee.</i>	
***	802.	<u>GENERAL MEETING DATE & EXCLUSION OF MONTHS</u> - <i>The Branch must choose a specific day in the month e.g. First Monday of each month, etc. and a start time which must be shown in regular time. Also indicate whether the time is am or pm. The Branch may exclude certain months within the year and all excluded months must be listed. Do not list the months that Meetings are held but rather use a similar phrase as noted above. Further the month of June should not be an excluded month as several Appointments must be approved by the Branch at the earliest opportunity to permit those appointees to legally commence the execution of their duties.</i>
804.	<u>ORDER OF BUSINESS VARIATION – GENERAL MEETINGS</u> - <i>Should the Branch wish to have a different Order of Business, rather than deviate at each Meeting by using the one found in the GBLB; it may be drafted on and attached to the Form 3 as an Attachment. It must have the Header as found on the Form 3. SEE NOTE 1 ON THE LAST PAGE OF THIS DOCUMENT.</i>	
***	807. (1)	<u>ANNUAL MEETING DATE</u> - <i>A choice must be made whether to hold this meeting at the same time as a monthly General Meeting or some other day and time e.g. First Monday in May, etc. Also indicate whether the time is am or pm.</i>
807. (2)	<u>CONSIDER APPLICATIONS AT ANNUAL MEETINGS</u> - <i>The Branch may include this provision if it so wishes, but only if the Annual Meeting is being held in conjunction with a regular monthly General Meeting.</i>	
807. (2)	<u>INITIATION OF NEW MEMBERS AT ANNUAL MEETINGS</u> - <i>The Branch may include this provision if it so wishes, but only if the Annual Meeting is being held in conjunction with a regular monthly General Meeting.</i>	
808.	<u>ORDER OF BUSINESS VARIATION – ANNUAL MEETINGS AND ELECTIONS</u> - <i>Should the Branch wish to have a different Order of Business, rather than deviate at each Annual Meeting by using the one found in the GBLB; it may be drafted and attached to the Form 3</i>	

Guidelines for Branch Regulations Continued

GBLB Section	Regulation Subject
	<i>as an Attachment. For Branches <u>holding Annual Meetings that do not include Elections</u>, they <u>must submit</u> an Order of Business appropriately titled as Noted under this Section with the Elections' portion of the header deleted leaving 'Annual Meetings'. SEE NOTE 1 ON THE LAST PAGE OF THIS DOCUMENT.</i>
***	<p>809. <u>QUORUM DECLARATION</u> - <i>Only one choice may be made from the three (3) options. NOTE: The use of Subsection (2) should only be considered by those Branches that are experiencing difficulty on a regular basis in securing a quorum at their Branch Meetings and they qualify in having less than twenty (20) participating active members.</i></p>
	<p>810. <u>RESCHEDULE OF MEETING RE STATUTORY HOLIDAY</u> - <i>This provision is for Branch General Meetings (Includes Annual) and avoids confusion on those occasions when a Meeting may unexpectedly fall on a Statutory Holiday during the calendar year. As an example, by using one week later, the Members know in advance that any General Meeting affected will be held one week later and thus eliminating the need for mailing a notice to all members as per S. 918. (1) GBLO. All Branches should consider including this provision which only becomes active in those cases when the scheduled meeting falls on a Statutory Holiday and avoids problems and unnecessary costs. The Branch should still post a Notice of the change and make reference to same at the preceding Branch Meeting.</i></p>
***	<p>1001. <u>ELECTION MEETING DATE</u> - <i>Choose a day or Meeting i.e. Annual Meeting, General Meeting in April, etc. Also indicate the time and whether it is am or pm. Further for those Branches on a two year term, Item (1) must be used and the wording must include whether the Elections will be held in the odd or even numbered years. NOTE: Should the Election Meeting be held on its own and not in conjunction with another Meeting, a separate Attachment re an Order of Business must be drafted and submitted with the Header found under S. 807. modified by the exclusion of 'Annual Meeting and' in the title.</i></p>
	<p>1002. <u>NOMINATION MEETING</u> – <i>A Branch may choose to hold Nomination Meeting prior to the day of the Elections and if applicable, the Branch must choose one of the two Items.</i></p>
	<p>1005. <u>ADVANCE POLL</u> - <i>A Branch may wish to have an Advance Poll and if so, the start time may be anytime between 9 am and the start time of the Election Meeting on the day of same. NOTE: Nominations cannot be re-opened at the Election Meeting if an advance poll is held.</i></p>
	<p>1008. <u>AUTOMATIC DROP DOWN RE ELECTION OF SENIOR OFFICERS</u> - <i>Eliminates the need for defeated candidates for any Senior Elected Office to be nominated for subordinate offices.</i></p>
	<p>1101. (1) <u>NEW MEMBER ENROLMENT FEE</u> - <i>A onetime nominal fee to cover the cost of materials provided i.e. Legion Badge (Lapel pin), By-Law Booklets, etc. The value entered here <u>does not include</u> the Branch dues.</i></p>
***	<p>1201. <u>IDENTIFY THE FINANCIAL REVIEW COMMITTEE</u> - <i>It is not necessary to name the members or Company name, if used, in the Regulation as they will be identified by name on an annual basis when presented for approval. However the Regulation <u>list</u> must indicate the membership composition of this Committee e.g. Branch Members, Legion Members, Ladies' Auxiliary Members, Outside Chartered Accountants, Outside Accountant, Outside Accounting Firm, Members of the Public, etc. or a combination of any of the above which <u>must be an inclusive list rather than exclusive</u>. NOTE: The wording in S. 617. GBL would suggest that this Committee (Defined as a group, board, team, etc.) consists of more than one person and the use of 'or' in the list is not permitted as it acts as an exclusion to the others in the list.</i></p>

Guidelines for Branch Regulations Continued

	GBLB Section	Regulation Subject
***	1202.	<u>FINANCIAL REVIEW COMMITTEE</u> - Enter the meeting i.e. General or Annual, at which this approval will be requested and the month in which the meeting takes place.
***	1204.	<p><u>BRANCH SIGNING OFFICERS</u> - <i>Item (1)</i> The Section calls for a list of all Signing Officers for all accounts regardless of whether they sign for only one account or many. Each entry must be specific in listing the person by their Office or Position e.g. First Vice-President, Branch Manager, Lottery Chairman, etc. The breakdown of accounts and specific Branch Signing Officers for each account can be a matter for a Policy and Procedure Manual. See S. 922. (2) GBLO as the majority of Branch Signing Officers should include the Senior Elected Officers. The list should parallel the list of members that will be completing the application and signature documents at the financial institution in which the accounts are held by the Branch. Further the First Vice-President should be considered for inclusion as the responsibility falls to this member in those situations in which the President is not able or capable of fulfilling these duties.</p> <p><i>Item (2)</i> The Branch Poppy Committee Chairman is a compulsory signatory with the remaining two (2) choices left to the Branch. See S. 920 (GBLO). The comments in Item (1) respecting the listing by Office or Position also apply to this area.</p>
***	1207.	<u>ACCOUNT PAYABLE MINIMUM PAID BY CHEQUE</u> - Enter an amount which may not exceed one hundred dollars (\$100.00) and is commonly known as a Petty Cash Fund. If the Branch does not have a Petty Cash Fund and pays <u>all accounts payable</u> by cheque enter 'Zero' and '(0)' in the appropriate areas along with the X in the Checkbox and the Approval Date in the appropriate columns. In this latter situation this will ensure that the Branch has made a choice and the entries were not made in error.
***	1208. (1)	<u>EXPENDITURE LIMIT OF EXECUTIVE COMMITTEE</u> - Enter any amount up to but not exceeding \$500.00. At the present time the amount of one thousand dollars (\$1000.00) is reserved for the Branch, not the Executive Committee.

TEMPLATES

CREATE AND/OR AMEND BRANCH REGULATIONS (Form 1)

This Form is used to either create or amend the Branch Regulations and becomes affixed to the completed Notice of Motion (Form 2). The Branch approval process found under Article XVI of the GBLB requires the completion of a Form 1 and Form 2. The two documents are then tabled at one General Meeting and the motion for acceptance is made at the next General or Special General Meeting. Once approved, four copies of each document must be forwarded to Command. Any amendment during the calendar year will result in the requirement of a new Form 3 submission at year end reflecting the most current approved regulations. However, unless subsequent amendments are made by the Branch, Command or Provincial Convention, a further submission of a Form 3 to Command will not be required. **NOTE:** *The need to submit this form by Branches has been waived for their first Branch Regulation Submission and therefore a completed Form 3 may be used as the document to attach to the Notice of Motion for the Branch approval process.*

NOTICE OF MOTION (Form 2)

This form is to be used in all instances involving the Creation or Amending of Branch Regulations. A copy of the Amendment (Form 1 as Noted above) must be attached at the time that the Notice is tabled at a Branch Meeting and the date of approval at the subsequent Branch Meeting must be entered on the Form. The use of this Form provides an advance opportunity for all Branch members to review the proposal and attend the

Guidelines for Branch Regulations Continued

	GBLB Section	Regulation Subject
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subsequent meeting to exercise their voting rights. Four copies of the approved Regulations and this Form must be submitted to Command.

NOTICE OF MOTION (*Form 2A*)

This form is to be used in all instances involving the Original Submission of Branch Regulations. A copy of the *Form 3* must be attached at the time that the Notice is tabled at a Branch Meeting and the date of approval at the subsequent Branch Meeting must be entered on the Form. The use of this Form provides an advance opportunity for all Branch members to review the proposal and attend the subsequent meeting to exercise their voting rights. Four copies of the approved Regulations and this Form must be submitted to Command.

BRANCH REGULATIONS TO THE GENERAL BY-LAWS (*Form 3*)

The Form is now capable of being saved and edited by the user. This Form contains wordings for all of the Sections found on the above List of Regulations and becomes the actual Regulations Document of the Branch. Entries in the left column boxes and the approval date column for each applicable Section confirm that the Section is activated. To standardize the entry of the Approval Date, the Government Standard Format (YYYY-MM-DD) is to be used. Many of the Sections require decisions and entries of additional information. In these instances, refer to the applicable section of the By-Laws and the above Guidelines for clarification and assistance. The Form and any attachments are subsequently signed by the President and Secretary, dated and four copies of each document are forwarded to Command by year end for review.

GENERAL RULES

The pre-set wording on any of the Forms is not to be changed, deleted, or amended in any way. Test entry areas require specific information and no qualifiers, additional explanation or comments is required or accepted.

Any subject matter to which the General By-Laws or the Branch Regulations does not address may be maintained in a Policy and Procedure Manual provided that the content does not infringe on the General By-Laws of Dominion or Provincial Commands, or violate any other law in Canada and is within the autonomy of the Branch.

Finally a Submission Form (Form 5) must be submitted with the other required documents in all instances and the applicable areas must be completed including the check boxes as confirmation of what documents are included in the submission.

NOTE NO. 1

The attachment must bear the Header Template as listed under the applicable Section on the Form 3 (Do not Complete the Branch Name and Number on the Form 3). The approval date and the signatures of the President and Secretary in a format similar to that found at the end of the Branch Regulations to the General By-Laws (Form 3). Further each page submitted under each separate Section should be sequentially numbered, if more than one page and the different Attachments must not be grouped together with other attachments i.e. each attachment is separately created to the corresponding Section under the appropriate Header.

ALL FORMS ARE AVAILABLE ON THE COMMAND WEBSITE

[WWW.ON.LEGION.CA](http://www.on.legion.ca) - MEMBERS ONLY SECTION

FACSIMILES WILL NOT BE ACCEPTED.