WESTBURY RSL SUB BRANCH INC

CONSTITUTION

ABN 69 927 528 138

Effective 29 April 2024

TABLE OF CONTENTS

Rule No		Page No
CONSTITUTION AMENDMENT PAGE		5
THE ORGANISATION		
1.	NAME	6
2.	OBJECTS OF THE SUB-BRANCH	6
3.	POWERS OF THE SUB-BRANCH	7
4.	DEFINITIONS AND INTERPRETATION	8
SUB-BRANCH COMMITTEE		
5.	SUB-BRANCH COMMITTEE	13
6.	ELECTIONS OF THE SUB-BRANCH COMMITTEE	19
7.	COMMON SEAL	22
8.	PUBLIC OFFICER	22
9.	SUB-BRANCH BOOKS	23
FINANCIAL MANAGEMENT		
10.	ELECTRONIC FUNDS TRANSFER & SIGNING OF CHEQUES	23
11.	ACCOUNTS OF THE SUB-BRANCH	24
12.	MONEY RECEIVED	24
13.	SALE OF REAL SUB-BRANCH PROPERTY AND CREATION OF SECURITY INTERESTS	25
14.	SUB-BRANCH AUTHORISED TO TRADE	25

15. APPLICATION OF, WINDING UP AND DISPOSAL OF ASSETS 25

MEETINGS

16. NOTICES OF MEETINGS 27

17. ANNUAL GENERAL MEETING 27

18. EXTRAORDINARY GENERAL MEETING 30

MEMBERSHIP

19. MEMBERSHIP CATEGORIES 32

20. MINIMUM MEMBERSHIP 32

21. AGE REQUIREMENT 33

22. REGISTER OF MEMBERS 33

23. SUBSCRIPTIONS 33

24. SERVICE MEMBER 34

25. LIFE MEMBER 35

26. AFFILIATE MEMBER 36

27. PERPETUAL MEMBER 38

28. LIFE MEMBERS OF THE SUB-BRANCH 39

29. ASSOCIATE MEMBER 39

30. HONORARY MEMBERS OF A SUB-BRANCH 39

31. OTHER MEMBER 40

32. CESSATION OF MEMBERSHIP 41

33. TRANSFER OF MEMBERSHIP 42

34. PROVISION OF RSL MEMBERSHIP CARD 42

35. NOTICES TO AND FROM MEMBERS 42

DISPUTES AND MEDIATION, DISCIPLINARY PROCEDURES, APPEALS AND SUSPENSION OR DISSOLUTION OF THE SUB-BRANCH

36. DISPUTES AND MEDIATION 43

37. DISCIPLINARY PROCEDURES 43

38. APPEALS 45

39. SUSPENSION OR DISSOLUTION OF THE SUB-BRANCH 46

CONSTITUTION, BY-LAWS AND OTHER REQUIREMENTS

40. ALTERATION TO THESE RULES 47

41. BY-LAWS 47

42. POLICY 48

43. RULES CONSTITUTE TERMS OF A CONTRACT 48

44. NO AMALGAMATION 48

45. COMMUNICATIONS WITH GOVERNMENTS, THE LEAGUE, AND BRANCHES 48

46. SUB-BRANCH MILITARY MEMORABILIA 48

47. RECITAL OF THE ODE OF REMEMBRANCE 48

48. VISITORS AND GUESTS 48

SCHEDULE 1 50

CONSTITUTION AMENDMENT PAGE

Amendment Number	Date	Reason for Change	Authorisation
1	29/04/2024	Complete document rewrite	Westbury RSL Sub Branch Inc AGM of 29 April 2024

WESTBURY RSL SUB BRANCH INC

CONSTITUTION

THE ORGANISATION

1. NAME

The name of the Sub-Branch is Westbury RSL Sub Branch Inc.

2. OBJECTS OF THE SUB-BRANCH

The Objects for which the Sub-Branch is established are:

(a) To promote the interests and wellbeing of Veterans and their dependants;

(b) To assist and care for sick, elderly and needy Veterans by providing, or assisting to provide, pensions, benefits, accommodation, medical treatment, rehabilitation and other forms of wellbeing;

(c) To support serving ADF Members at home and abroad and actively assist them in their transition to civilian life, especially for those who have been detrimentally affected by their Defence service;

(d) To preserve and maintain the memory and records of those men and women who suffered or died from their service with the Australian Defence Force;

(e) Perpetuate the close and kindly ties of friendship created by the mutual service in the ADF or in the forces of nations traditionally and currently allied with Australia and the recollections associated with that experience;

(f) Maintain a proper standard of dignity and honour among all past and present Members of the ADF and set an example of public spirit and noble-hearted endeavour;

(g) Encourage loyalty to Australia and secure patriotic service in the interests of Australia;

(h) The promotion of a social organisation and Sub-Branch of the Branch composed of those who are serving or who have served in the ADF, the various British Commonwealth Defence Forces, Members of the Allied Defence Forces and such other persons who from time to time may be admitted to membership in accordance with these Rules;

(i) To establish, maintain and conduct a Sub-Branch of a non-political and non-sectarian character;

(j) To make contributions to any charitable relief, benefit, commemoration, or memorial fund of any kind as the Committee may deem advisable and in accordance with the objectives of the RSL;

(k) To make application pursuant to the appropriate legislation from time to time enacted and currently in force, or any re-enactment or amendment thereof, to:

(i) Make application for a Club Liquor Licence pursuant to the provisions of the *Liquor Licensing Act 1990* or any re-enactment or amendment thereof;

(ii) To make application as a Venue Operator for the operation of lawful games and activities, other than poker machines, as authorised by the *Gaming Control Act 1993* and amendment thereto;

(iii) To hold, transfer, renew, vary or surrender any licence, permit or authority or do all other things that are necessary pursuant to the provisions of the said Act for the protection of any such licence, permit or authority.

(l) To further the interests of, and to support the Branch and to support other Sub-Branches of the Branch.

(m) To encourage within the Sub-Branch sporting groups for Members.

3. POWERS OF THE SUB-BRANCH

(a) **Westbury** RSL Sub Branch Inc is an incorporated association and has the legal capacity, powers, obligations, and responsibilities of an incorporated association as set out in the Act, which must be exercised solely for furthering the Objects.

(b) The Sub-Branch may develop its own policies and procedures providing they are not in conflict with this Constitution, the Branch Constitution, or the National Constitution.

(c) The powers of **Westbury** RSL Sub Branch Inc are vested in the Sub-Branch Committee and listed in Schedule 1 which forms part of this Constitution.

4. DEFINITIONS AND INTERPRETATION

In these Rules unless the context otherwise requires:

(a) Words importing the singular include the plural and vice-versa;

(b) Any reference to gender should be “non-Gender”;

(c) References to persons include corporations and bodies politic;

(d) Reference to these Rules includes a reference to any By-Law, Schedule, Appendix, Annexure or Exhibit to these Rules;

(e) Where the day on which anything is to be done is not a Business Day, that thing must be done on or by the end of the succeeding Business Day.

In this Constitution unless the contrary intention appears:-

"Act" (the Act) means the *Associations Incorporation Act 1964 (Tas)*.

“ADF” means the Australian Defence Force.

“ADF Personnel” means those Members who are currently serving in the Royal Australian Navy, the Australian Army, or the Royal Australian Air Force.

“Affiliate Member” means an Affiliate Member of the Branch admitted pursuant to the rules of the Branch Constitution and is a Member of the Sub-Branch. An Affiliate Member has voting rights for most matters except National issues.

“Associate Member” means an Associate Member pursuant to Branch Rule 24. An Associate Member of a Sub-Branch does not have voting rights and is a League Member of another Sub-Branch with full voting rights.

“Annual State Congress” comprises the State Branch Annual General Meeting and other activities as determined by the State Board.

“Annual General Meeting” (AGM) means the Annual General Meeting of the Sub-Branch.

“Appoint” means to select someone officially, via a Motion, for a position or responsibility.

“Australia” means the Commonwealth of Australia.

"**Branch"** means The Returned & Services League of Australia (Tasmania Branch) Inc.

"Branch Constitution" means the Constitution of the Returned & Services League of Australia (Tasmania Branch) Inc. and includes its By-Laws.

"**By-Laws**" means the By-Laws made pursuant to this Constitution and those of RSL TAS Inc.

"Capitation Fees" means that component of a Subscription Fee, payable to the Branch for Service and Affiliate Members.

"**Charter**" means the formal authority granted to a Sub-Branch to act as a Member of RSL TAS Inc.

"Chief Executive Officer of the Branch" (CEO) means the person appointed from time to time under Branch Rule 15.1 by the State Board.

"Committee" or "Sub-Branch Committee" means the Committee of the Sub-Branch.

"Conduct Unbecoming a Member" has the meaning given to it by Branch Rule 35.2 or the By-Laws.

"**Deputy President**" means a Non-League Member of a Sub-Branch who has been elected and/or appointed as the Deputy President of the Sub-Branch. By-Law 31 refers.

"**Executive**" means the Senior Committee Members and includes the President, Vice President, Deputy President, Secretary and Treasurer of the Sub-Branch.

"**Extraordinary General Meeting**" **(EGM)** means a Special General Meeting that is held to resolve a specific issue or issues and is separate from an Annual General Meeting.

"Financial Year" means the year ending 31 December.

"Gaming Control Act" means the *Gaming Control Act 1993 (Tas)* or any amendment or re-enactment thereof.

"Guest" means a person who is invited to visit the Sub-Branch and is in the company of a Sub-Branch Member.

"Honorary Member of the Sub-Branch" means a person, other than a League or Affiliate Member, that has been granted membership of a Sub-Branch as an honour and distinction. Honorary Members do not have voting rights.

"In Camera" means a Committee Meeting held in private without other Sub-Branch Members or Members of the public present.

"In Writing" and **"Written"** include typing or printing, lithography, photography, and other modes of representing or reproducing words and figures in visible form.

"League" means the Returned & Services League of Australia Limited A.C.N. 008 488 097 and includes the RSL, State Branches, Members of State Branches, Sub-Branches and Members of Sub-Branches.

"League Member" means a Life Member or a Service Member of the League and is a Member of a Sub-Branch and/or the Branch and has full voting rights.

“Life Member” means Life Membership awarded to a Service Member who has given exceptional service to the League and elected to that class of membership pursuant to Branch Rule 24. Life Members have full voting rights.

“Life Member of a Sub-Branch” means a Non-League Member who prior to the ratification of this Constitution was bestowed the title of “Life Member of a Sub-Branch”. “Life Members of a Sub-Branch” have certain voting rights under this Constitution.

“Life Subscriber” means a Service Member from another State, who has paid their Annual Membership fees for life in that State, and who on ratification of this Constitution, is deemed to be required to pay Annual Membership Fees in the State of Tasmania.

"Liquor Licensing Act" means the *Liquor Licensing Act 1990 (Tas)* or any amendment or re-enactment thereof.

“Member” means a natural person who has been admitted, as listed below, to any one of the following types of Member classes;

- Service Member
- Life Member
- Affiliate Member
- Perpetual Member
- Life Member of a Sub-Branch
- Associate Member
- Honorary Member of the Sub-Branch, and
- Other Members

“National Constitution” means the Constitution of the Returned & Services League of Australia Limited.

“Non-Voting Members” includes Associate, Honorary, and Honorary Life.

“Other Member” means the class of membership determined by the Branch that does not fall within the existing class categories of membership but offer a benefit to the organisation. Other Members may include Social or Community Members and have certain voting rights.

“Perpetual Member” means an Affiliate or Other Member who has been given Perpetual Membership and admitted to that class of membership pursuant to Branch Rule 24. Perpetual Members have voting rights, and the extent of these voting rights will be dependent on whether they were admitted as an Affiliate or an Other Member.

“Person” an individual recognised by law as a legal person, or a group of people recognised by law to act as an individual.

“President” means a League Member who has been elected and appointed as the President of the Sub-Branch. By-Law 29 refers.

"Public Officer" means a person appointed as required by the Act and elected and appointed as the Public Officer of the Sub-Branch. By-Law 37 refers.

"Regulations" mean the Regulations under the *Associations Incorporation Act 1964 (Tas)*.

"RSL TAS Inc." means the Returned & Services League of Australia (Tasmania Branch) Inc. and includes the State Board, State Headquarters, the State Branch Tribunal and other subordinate Committees created by the State Board, Sub-Branches, Chapters and Members.

"Rules" means the Rules of this Constitution unless specific reference is made to the Branch or National Rules or By-Laws.

"Secretary" means the Secretary and the Administrative Officer who has been elected and/or appointed as the Secretary of the Sub-Branch. By-Law 33 refers.

"**Service Member**" means the class of State or Sub-Branch Membership that subject to qualification, are current or ex-serving Members of the ADF and Allied Nations Military Forces and approved pursuant to Branch Rule 24. Service Members have full voting rights.

"Special Meeting" means an unplanned or unscheduled meeting of the Sub-Branch Committee.

"Staff Member" means a paid employee of the Sub-Branch but excludes consultants or persons appointed under Rule 5(k).

"**State Board**" means the Committee of management of the State Branch which comprises all League and Specialist Directors pursuant to Branch Rule 9.

"State Branch" includes the State Board, State Branch Headquarters, the State Branch Tribunal, and other subordinate Committees created by the State Board.

"State Branch Constitution" means the Constitution of RSL TAS Inc.

"**State Branch Headquarters"** means the registered office of RSL TAS Inc. and includes the Chief Executive Officer and staff.

"**State Branch Officer**" means the Chief Executive Officer and all other Officers appointed by the State Board as required from time to time to assist in the management of the affairs of the Branch.

"State Branch Tribunal" means the Tribunal established by the Branch under Branch Rule 33.

"Sub-Branch" means an incorporated association which holds a Charter issued by the State Board.

"Sub-Branch Committee" means the Committee that is responsible for the control and management of the business interests of the Sub-Branch and includes the Sub-Branch Executive and other Committee Members.

“Sub-Branch Constitution” means this Constitution and mirrors State Branch By-Law 24.

“Sub-Branch Delegate” means a Delegate of the Sub-Branch appointed under Branch Rule 22.8 who has the right to vote on behalf of its Sub-Branch at the Annual State Congress of the Branch.

“Sub-Branch Perpetual Membership” means membership awarded to an Affiliate or Other Member who has given exceptional service to that Sub-Branch.

“Subscription Fees” (Fees) include for Service and Affiliate Members a Capitation and administrative component, and for Other Members a general component.

“Treasurer” means the Treasurer and the Financial Officer who has been elected and/or appointed as the Treasurer of the Sub-Branch. By-Law 32 refers.

“**Veteran**” means a person who is, or who has served as a Member of the Royal Australian Navy, the Australian Army, or the Royal Australian Air Force or a Veteran of an Allied Nation.

“**Vice President**” means a League Member who has been elected and appointed as the Vice President of the Sub-Branch. By-Law 30 refers.

“**Visitor**” means a League or Affiliate Member of another Sub-Branch who has the same reciprocal visiting rights as Members of the Sub-Branch.

“**Wellbeing**” means the state of being healthy, happy, or prosperous; physical, psychological, or moral welfare.

“Wellbeing Support Officer” means a person appointed by the Sub-Branch Committee to be the Wellbeing Support Officer for the Sub-Branch. By-Law 34 refers.

“**Women’s Auxiliary**” means an organisation of women formed by a Sub-Branch to render service to the Sub-Branch and its Members.
.

SUB-BRANCH COMMITTEE

5. SUB-BRANCH COMMITTEE

(a) The control and management of the business and affairs of the Sub-Branch shall be vested in and exercised by the Sub-Branch Committee (the Committee).

(b) The Committee shall have the full power to superintend and conduct the business and affairs of the Sub-Branch according to the Rules and do all other acts and things as the Sub-Branch itself could do, and which were not expressly directed or required to be exercised or done by an AGM or EGM.

(c) A Special Meeting of the Committee may at any time be convened by the President or three Committee Members. The President or Committee Members shall make requisition in writing to that effect, stating the object of the meeting. Seven (7) days' notice of any Special Meeting shall be given where practicable to every Member of the Sub-Branch, stating the object of the meeting, and no business shall be transacted at any Special Meeting except that for which it was convened. The President shall decide the time and place such a Special Meeting shall be held.

(d) The President will preside as Chair of every meeting of the Sub-Branch Committee. If the President is absent from the meeting, the Vice President, or if also absent, the Deputy President is to preside as Chair. If neither the President, Vice President, or Deputy President are available, the Committee shall then elect a Chair from League Members present.

(e) The Members of the Sub-Branch Committee, include:

(i) the Sub-Branch Officers elected under Rule 5(f);

(ii) elected Sub-Branch Members, the number of which is to be decided by the Committee;

(iii) persons co-opted by the Committee under Rule 5(k); and

(iv) a person appointed under Rule 5(l);

(f) The Sub-Branch Officers, as detailed below, are the Executive of the Sub-Branch and elected or appointed to one (1) or more of the following positions:

(i) President;

(ii) Vice President;

(iii) Deputy President (if resolved at an AGM or EGM to have an Affiliate Deputy President position);

(iv) Secretary; and

(v) Treasurer.

(g) A Sub-Branch Committee may, with the approval of its League Members, at an AGM or EGM, apply in writing to the State Board to allow a Non-League Member of its Sub-Branch to be the President.

(h) A Sub-Branch Committee may, with the approval of its Members at an AGM or EGM, apply in writing to the State Board to allow its President to also hold the position of Secretary or Treasurer.

(i) A Member of the Sub-Branch Committee may only occupy only one (1) Committee Position at the one time, with the exception of a combined position of Secretary/Treasurer, Vice President/Secretary or Deputy President/Secretary or Vice President/Treasurer or Deputy President/Treasurer.

(j) The Sub-Branch Committee may co-opt up to two (2) persons, but a co-opted person is not entitled to a vote on the Sub-Branch Committee. A co-opted person is to be appointed for a specific time and for a specific purpose and this is to be recorded in the Minutes.

(k) Subject to the prior approval of the League and Affiliate Members of the Sub-Branch, the Sub-Branch Committee may appoint either a Secretary, Treasurer/Secretary or Treasurer who need not be a League or Affiliate Member, on such terms and conditions as the Sub-Branch Committee from time to time determines. Such appointments may only be made if a League or Affiliate Member of the Sub-Branch is not available to fill the vacancy. A person so appointed does not have voting rights nor form part of the Executive and must agree to be bound by these Rules, the Branch Constitution and the National Constitution before such appointment is confirmed.

(l) A Member of the Sub-Branch Committee must not be a Member of the Committee of another Sub-Branch, or an employee of the Sub-Branch;

(m) A Sub-Branch Committee can only have one (1) combined position at any one time.

(n) A Member of the Sub-Branch Committee may also occupy the position of Wellbeing Support Officer, Membership Officer, Property Officer, or Public Officer.

(o) A Committee Member is required, prior to appointment, to provide a current National Police Check, along with a Working with Vulnerable People card (WWVP card) to the Secretary. If in the event that an elected/appointed person cannot be issued one (1) or both, the position is deemed to be vacant, and the position is to be filled in accordance with this Rule 5.

(p) If the President of the Sub-Branch is absent or their Office otherwise becomes vacant, the Vice President assumes the Office of the President.

(q) If a Vice President of the Sub-Branch is absent or their Office otherwise becomes vacant, the League Member who polls the most votes at the Committee Meeting, noting that only League Members can vote, assumes the Office of Vice President.

(r) If there is a vacancy other than the President or Vice President, the Sub-Branch Committee may appoint a Member of the Sub-Branch to fill the vacancy.

(s) The Office of a Member of the Sub-Branch Committee becomes vacant if they:

(i) cease to be a Member of the Sub-Branch;

(ii) are declared of unsound mind or a person who is, or whose estate is, liable to be dealt with under the *Mental Health Act (Tas) 2013*;

(iii) are declared a bankrupt or insolvent or makes an arrangement or composition with his creditors;

(iv) are convicted of a serious criminal offence;

(v) are under suspension from the State Board or State Branch Tribunal;

(vi) are unable to provide a current National Police Check, along with a WWVP card;

(vii) resign by notice in writing to the Sub-Branch Committee;

(viii) are absent for two (2) consecutive meetings of the Sub-Branch Committee without leave of absence granted by-Sub-Branch Committee;

(ix) move their principal place of residence outside Tasmania,

(x) become an employee of the Sub-Branch,

(xi) upon a resolution carried at a specially summoned EGM, or

(xii) die.

(t) All appointed positions to a Sub-Branch Committee are filled for the remaining tenure of that position except for co-opted persons who are appointed in accordance with Sub-Branch Rule 5(j).

(u) The Secretary of the Sub-Branch must notify the CEO of a change in the Members of the Sub-Branch Committee within fourteen (14) days of a change.

(v) The President shall exercise a general supervision over the staff and the Sub-Branch's administration and in particular:

(i) shall be a Member, ex-officio, of all Sub-Committees appointed or elected;

(ii) when present shall preside at all General and Sub-Branch Committee Meetings;

(iii) may call meetings of the various Sub-Committees as and when they consider the occasion requires;

(iv) the Sub-Branch President shall at the meetings of the Sub-Branch, or of a Committee or Sub-Committee of the Sub-Branch, possess a vote and where voting is equal upon a question shall be entitled, when in the Chair, to a further or casting vote.

(v) The duties of a President of the Sub-Branch are contained in Branch By-Law 29.

(w) The duties of a Vice President of the Sub-Branch are contained in Branch By-Law 30.

(x) The duties of a Deputy President of the Sub-Branch are contained in Branch By-Law 31.

(y) The duties of a Treasurer of the Sub-Branch are contained in Branch By-Law 32.

(z) The duties of a Secretary of the Sub-Branch are contained in Branch By-Law 33.

(aa) A staff member of the Sub-Branch being a Member of the Sub-Branch shall not be elected to, or after becoming a paid employee as aforesaid, shall not remain on the Committee of the Sub-Branch.

(bb) That where a staff member of the Sub-Branch resigns, or is terminated for any reason, that staff member shall not be eligible to hold a position on the Committee of the Sub-Branch for a period of one (1) year from the date of resignation or termination, save and except that this Rule can be waived in relation to a particular person who has previously been a staff member by the passing of a resolution by the Sub-Branch in a General Meeting with such resolution receiving a vote of at least 75 percent of the Members present and voting at the said meeting.

(cc) Other Members of the Sub-Branch may not be elected to the position of either President, Vice or Deputy President on the Sub-Branch Committee. Other Members may not hold more than two (2) positions on the Committee of the Sub-Branch unless the written consent of the State Board has been obtained pursuant to Rule 30(b). Other Members on the Committee of a Sub-Branch may only vote on matters relating to the operation of Sub-Branch facilities available to Members of the Sub-Branch.

(dd) A Member of the Sub-Branch Committee who has a financial or material interest in a contract or arrangement made or proposed to be made with the Sub-Branch must disclose this interest at the first Committee Meeting at which the contract or arrangement is first considered.

(ee) A Member of the Sub-Branch Committee is not entitled to vote in respect of any contract or arrangement with the Sub-Branch in which the Member has a financial or material interest, and if the Member does vote, the vote is not to be counted.

(ff) A Member of a Sub-Branch or the State Branch must not, whilst holding any Office in a Sub-Branch or the State Branch, provide a service for a fee or reward or advantage to any Member of a Sub-Branch or the State Branch, for which a facility or service is provided for or available from a Sub-Branch or the State Branch for no fee.

(gg) A Member of a Sub-Branch Committee must sign annually or where circumstances change a new Conflict of Interest form.

(hh) The Sub-Branch Committee shall, at least, hold monthly meetings and Minutes of all resolutions and proceedings of the Committee shall be recorded electronically or in a book provided for that purpose, and must be signed by the Chairperson of

the meeting and Secretary, or where the Secretary is absent another Committee Member present at the meeting.

(ii) A meeting of the Sub-Branch Committee must be held “in camera” unless the Committee resolves otherwise.

(jj) The Sub-Branch Committee shall be responsible for deciding fees chargeable to the Members at the Sub-Branch and giving therein the necessary notices to Members. Rule 23(a) refers.

(kk) A vote of a Member of the Committee is to be given personally.

(ll) Sub-Committees:

(i) The Sub-Branch Committee shall have power to appoint from among the Members such other Sub-Committees for such purposes it shall deem necessary and shall have full power to delegate thereto such power, as it deems appropriate.

(ii) All Sub-Committees shall report upon their proceedings at the next meeting of the Sub-Branch Committee. All such Sub-Committees shall be subordinate to the Sub-Branch Committee, which may allot, vary or amend the duties of such Sub-Committees. Each Sub-Committee shall appoint a Convenor, who shall convene meetings as may be directed by the Sub-Branch Committee or the President of the Sub-Branch. Each Sub-Committee shall keep a Minute Book containing a true record of all proceedings.

(mm) The Sub-Branch Committee may act notwithstanding any vacancy on the Committee, providing a meeting comprises of at least four (4) Committee Members that include either the President, the Vice President or Deputy President, plus either the Secretary or Treasurer or Secretary/Treasurer and other Committee Members where necessary to make up four (4) for a period of up to four (4) months.

(nn) Quorum

(i) Fifty percent of the Members of the Sub-Branch Committee shall constitute a quorum for the transaction of the business of a meeting of the Sub-Branch Committee. Where the fifty percent is not a complete number, it shall be rounded up to the next complete number.

(ii) No business shall be transacted at a Sub-Branch Committee Meeting unless a quorum is present and if within thirty (30) minutes of the time appointed for a Sub-Branch Committee Meeting a quorum is not present, the Sub-Branch Committee Meeting shall stand adjourned to the same place and at the same hour of the same day in the following week.

6. ELECTIONS OF THE SUB-BRANCH COMMITTEE

(a) The election of the Sub-Branch Committee is generally held at an AGM or in exceptional circumstances an EGM where vacant positions occur, and elections conducted as detailed below:

(i) Members of the Sub-Branch Committee shall be elected for a term of two (2) years, save and except that, a Sub-Branch by resolution of Members present, may elect a one (1) year term of office for some, or all of the Committee positions, and in this regard State Branch HQ is to be advised accordingly. Any such resolution must have been included as part of the business to be transacted at the AGM and included in the AGM Notice.

(ii) For a newly established Sub-Branch, the terms of election shall be as follows: - The President and Treasurer of the Sub-Branch, and fifty percent of the Committee of the Sub-Branch shall be elected for one (1) year and thereafter for a two (2) year term, unless a resolution has been passed for a one (1) year term.

(iii) The following year, the Vice President, Deputy President and Secretary of the Sub-Branch and the other fifty percent of the Committee shall be elected for a two (2) year term, unless a resolution has been passed for a one (1) year term.

(b) The number of Affiliates and Other Members on the Committee, including Executive Positions shall not be greater than sixty percent of the total

membership of the Executive and the Committee, or such lesser percentage as shall be determined by the Sub-Branch in General Meetings from time to time.

(c) The Sub-Branch Committee shall at least one (1) month prior to the AGM or EGM, where an election is to be held, determine and minute:

(i) the manner in which the election shall be held, either by formal nominations or nominations from the floor;

(ii) as to whether the Sub-Branch shall have any Other Members on the Committee. There shall in any event be not more than two (2) Other Members elected to the Committee save and except if the written consent of the State Board has been obtained pursuant to Rule 30(b); and

(iii) appoint from a League Member a Returning Officer where a secret ballot is to be held.

(d) The Returning Officer of the Sub-Branch must not be an employee of the Sub-Branch or a Candidate for Committee or Office.

(e) If for any reason, the Sub-Branch Committee resolves that they are unable to appoint a Returning Officer then they shall apply in writing to the State Board for a League Member to be appointed. The State Board will then appoint a League Member to be the Returning Officer.

(f) A person can nominate for more than one (1) position at the Sub-Branch so long as they are otherwise allowed pursuant to the Rules to so nominate.

(g) If the number of nominations for a position on the Sub-Branch Committee does not exceed the number to be elected to that position, the Nominees, subject to Rule 5(i), are duly elected to the position, but where the number of nominations. exceeds the number to be elected to that position, an election is to be conducted. The Sub-Branch Committee is to decide prior to the AGM whether to hold an election by secret ballot and or show of hands at the AGM.

(h) Regardless of whether the election is held by secret ballot, or show of hands the election of Members shall be conducted in the following descending order:

(i) President;

(ii) Vice President - League Member;

(iii) Deputy President – Affiliate Member (if it is agreed by the Sub-Branch at an AGM or EGM to have an Affiliate Deputy President Position);

(iv) Secretary;

(v) Treasurer;

(vi) Committee Person: [the senior of who shall be the Member polling the most votes, or if no vote is necessary, then a method as determined by the meeting];

(vii) If there is a tied vote, the name of the person drawn by the Returning Officer in the presence of the Scrutineers is the person elected.

(i) Secret Ballot

(i) For the purposes of conducting the secret ballot, a Returning Officer and not less than two (2) Scrutineers, with one (1) being a League Member, are to be appointed by the Sub-Branch Committee from among the League Members or Affiliates.

(ii) The Secretary of the Sub-Branch must notify the Chief Executive Officer within fourteen (14) days of the meeting that appointed or elected the Sub-Branch Committee the Members of that Sub-Branch Committee.

(j) Canvassing and proxy votes are not permitted for any elected position in the Sub-Branch.

(k) Removal of Office Bearer

(i) Any Office Bearer or Member of the Committee of the Sub-Branch may be removed from their position upon a resolution carried at a specially summoned EGM of the Sub-Branch convened by the Committee for the expressed purpose of considering the deposition, and of which at least fourteen (14) days' notice shall be given to all Members of the Sub-Branch at the address shown in the Sub-Branch register. The Notice is to state the time and place of such meeting and the nature of the business to be transacted at that meeting.

(ii) The removing of the Office Bearers or Members of the Committee shall forthwith proceed to elect a Member to fill the vacancy created. Such casual vacancy shall hold that office for the term set down for the particular office, or position.

(l) Nominations, whether formal or from the floor shall only be able to be received in relation to persons who have paid the Annual Subscription for the current year or who are Life Members or Life Subscribers.

(m) Formal nominations shall be conducted as follows:

(i) Nominations for Executive and the Committee shall be in writing, contain the name of the nominated Member, be signed by at least two (2) Members entitled to vote and shall be delivered to the Returning Officer at least fourteen (14) days before the date fixed for the AGM, or the date of the election (ballot) if held separately.

(ii) The nomination form for election and the record of the Sub-Branch Officers and Committee shall be in accordance with the State Board requirements.

(iii) Any withdrawal of a nomination by a Candidate shall be in writing and submitted to the Returning Officer.

7. COMMON SEAL

(a) The common seal of the Sub-Branch, where and if acquired, shall be kept in the custody of the Secretary of the Sub-Branch.

(b) The common seal shall not be affixed to any instrument except by the authority of the Committee of the Sub-Branch and the affixing of the common seal shall be attested by any two authorised signatories.

(c) The affixing of the seal shall be recorded in a Register kept by the Secretary of the Sub-Branch.

8. PUBLIC OFFICER

(a) The Sub-Branch shall have a person as a Public Officer and such person shall carry out the function and duties of a Public Officer as set out in the *Associations Incorporation Act 1964.*

(b) The Public Officer is to ensure that no later than 30 June each year they have complied with the reporting requirement of the Australian Charities and Not-for-Profit Commission (ACNC) and this information is reported to the Secretary who in turn is to advise the CEO RSL Tas.

(c) The Duties of a Public Officer are listed under By Law 34.

9. SUB-BRANCH BOOKS

(a) Except as otherwise provided in these Rules, the Secretary and Treasurer or the Secretary/Treasurer of the Sub-Branch is to keep in their custody or under their control all the books, accounts, minute books, statutory registers kept under any law (if any), records and securities maintained by the Sub-Branch.

(b) The Sub-Branch must, if required by the Branch, produce for inspection all books, accounts, minute books, statutory registers kept under any law (if any), records and securities and supply such returns and other information as the Branch may from time to time require.

(c) A Member of the Sub-Branch is only entitled to inspect the books, accounts, minute books, statutory registers kept under any law (if any), records and securities if he has the prior written approval of the Sub-Branch Committee.

FINANCIAL MANAGEMENT

10. ELECTRONIC FUNDS TRANSFER (EFT) & SIGNING OF CHEQUES

(a) An EFT drawn upon an account of the Sub-Branch is to be set up by the Treasurer and authorised by another signatory as provided for in Rule 10 or as per the minuted decision of the Committee.

(b) A cheque drawn on an account of the Sub-Branch is to be signed by the Treasurer and any one of the President, Vice President, Deputy President, Secretary or Secretary/Treasurer or in their absence the Sub-Branch Committee person nominated by the President and duly minuted as signatory. The Committee may also resolve to nominate the Public Officer or Manager (if appointed) to be a signatory.

(c) Those funds generated by, or for a Sub-Committee of the Sub-Branch, remain under the control of the President and Members of the Sub-Branch Committee.

(d) If signatories to cheques, as provided for in Rule 10 are not present or available to sign cheques drawn on a special gaming account, that has been set up for the purpose of paying out prize money, the authority to sign these cheques may be delegated, by the Committee, to the Manager and the duty senior supervisor. The management and the operation of this special account shall be the responsibility of the Sub-Branch Treasurer.

(e) All payments made prior to the previous Committee Meeting and not ratified at that meeting and all payments made after that Committee Meeting are to be presented by the Treasurer to the next Committee Meeting for ratification.

11. ACCOUNTS OF THE SUB-BRANCH

(a) The financial reports and accounts of a Sub-Branch are to be audited each financial year.

(b) A Sub-Branch with revenue in excess of $250,000 is to comply with the provisions of the Act which requires a registered company auditor to audit the books of account.

(c) A Sub-Branch with revenue less than $250,000 but more than $100,000 is required to have the books of account audited by either a registered company auditor, a Certified Practising Account or a Chartered Accountant.

(d) A Sub-Branch with revenue less than $100,000 is required to have the books of account audited by a registered company auditor, a Certified Practising Account, a Chartered Accountant or a bookkeeper with demonstrated financial and auditing experience.

(e) The signed and audited financial reports, the Draft Minutes including a full breakdown of membership for that financial year including League, Affiliate, Honorary and Other Members is to be provided to the CEO of State Branch by 14 May following the conduct of the AGM. The financial year for the Sub-Branch shall be the calendar year being 1st January to 31 December.

12. MONEY RECEIVED

(a) All money raised, collected or otherwise received by any person or persons where the name of the Sub-Branch is used or inferred must be paid into the Sub-Branch bank account and a receipt issued if requested.

(b) With regards to welfare monies received a separate income and expenditure report is to be established and provided monthly to the Committee and annually to Members at the AGM where it forms part of the audited financial statements.

(c) Where State Branch has established State Welfare Project(s), Sub-Branches may contribute welfare funds to those projects.

13. SALE OF REAL SUB-BRANCH PROPERTY AND CREATION OF SECURITY INTERESTS

(a) The Sub-Branch is not authorised and must not supply or offer to supply or permit a person to supply or offer to supply Sub-Branch real property without the prior written authorisation of the State Board.

(b) The Sub-Branch is not authorised and must not lease or offer to lease or permit a person to lease or offer to lease Sub-Branch real property with an option to supply or acquire the Sub-Branch property without the prior written authorisation of the State Board.

(c) The Sub-Branch is not authorised and must not create any security interest whatsoever or permit a person to create any security interest whatsoever over Sub-Branch property without the prior written authorisation of the State Board. The request for authorisation under Rule 13(a), (b) or (c), must include details of the Sub-Branch property and evidence of either the Market Value, Market Rental or the Valuer-General's "Improved Value" of the Sub-Branch property.

(d) A Sub-Branch is not authorised and must not raise a secured loan from any source without the prior written authorisation of the State Board, which shall not be unreasonably withheld.

14. SUB-BRANCH AUTHORISED TO TRADE

The Sub-Branch is authorised to trade in accordance with the Act.

15. APPLICATION OF, WINDING UP AND DISPOSAL OF ASSETS

(a) The income and property of the Sub-Branch is to be used and applied solely in promotion of its purposes and the exercise of its powers.

(b) Subject to Rules 15(c) and (d), the income and property of the Sub-Branch is not to be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to a Member.

(c) The Sub-Branch may pay, in good faith, interest to a Member in respect of money advanced by the Member to the Sub-Branch or otherwise owing by the Sub-Branch to the Member or of remuneration to a Sub-Branch Officer or an employee of the Sub-Branch or for services rendered to the Sub-Branch by a Member.

(d) The Sub-Branch may pay or repay a Member for out of pocket expenses, reasonable and proper charges for goods hired by or supplied to the Sub-Branch from a Member or reasonable and proper rent for premises demised or let to the Sub-Branch from a Member.

(e) If the Sub-Branch is wound up, dissolved or its Charter is removed by the Branch or by the Returned & Services League of Australia Ltd and there remains after distribution of all its liabilities any property, the property is not to be paid or distributed to Members, but, subject to the requirements of the Act or order(s) issued under the Act, is to be vested in the Branch and applied by the State Board in fulfilment of the Objects of the Branch in such manner as the State Board shall deem fit. In the event of there being no Branch, the funds shall be transferred or given to the Returned & Services League of Australia Limited.

(f) Where the Sub-Branch upon its winding up or dissolution, is unable to satisfactorily pay all its debts and liabilities, each Member is not liable to contribute towards the payment of the excess debts and liabilities of the Sub-Branch or the associated costs, charges, and expenses of a winding up or dissolution of the Sub-Branch.

(g) If the Sub-Branch is wound up, dissolved, or its Charter is removed by the Branch, the Sub-Branch must not thereafter use the words “RSL”, “Returned & Services League”, display the RSL Badge or otherwise hold itself to be an RSL Sub-Branch or otherwise associated with the State Branch or with the Returned & Services League of Australia Limited.

MEETINGS

16. NOTICES OF MEETINGS

(a) The Secretary shall at least fourteen (14) days before any AGM or EGM advise Members, in accordance with Rule 35, the time and place where the meeting is to be held, and the nature of business that will be brought forward at the said meeting. The accidental omission to give any notice, as per Rule 35 to any Member, shall not invalidate any resolutions carried at an AGM or EGM.

(b) The nature of the business to be dealt with at such meetings, and the manner in which they are to be conducted shall be in accordance with these Rules as to the conduct of particular classes of meetings.

(c) In the case of a meeting at which a special resolution is proposed, pursuant to the provisions of the Act, the statutory period of twenty-one (21) days' notice shall be for such meetings.

(d) The Secretary is to advise State Branch of the request to hold an EGM including a copy of the Motion.

17. ANNUAL GENERAL MEETING (AGM)

(a) The Sub-Branch must hold an AGM, which is the governing body of the Sub-Branch, before 30 April each year on such date, time and place as the Committee of the Sub-Branch shall determine.

(b) The President of the Sub-Branch is to be the Chairperson of the AGM but if the Sub-Branch President is not present within fifteen (15) minutes after the time appointed for the commencement of the AGM or is unwilling or unable to act as the Chairperson, the Sub-Branch Vice President or if unavailable the Deputy President, is to be the Chairperson of the AGM. If the Sub-Branch Vice President and Deputy President are not present within fifteen (15) minutes after the time appointed for the commencement of the AGM or are unwilling or unable to act as the Chairperson of the AGM, the League Members of the Sub-Branch present shall elect a League Member to chair the meeting.

(c) Until otherwise determined by the Sub-Branch, the quorum for the AGM shall comprise those Members present at the appointed time for any meeting, subject to the proviso that the number of Members (who are not Sub-Branch Executives

or Committee Persons) present exceeds the number of Sub-Branch Executives and Committee Members present.

(d) If within thirty (30) minutes after the appointed time for the commencement of the AGM a quorum is not present, the Chairperson must adjourn the AGM to a date not less than twenty one (21) days from the original meeting and to a time and place as the Chairperson decides, and the Secretary must give written notice to all Members of the Sub-Branch of the adjourned AGM at least fourteen (14) days before the adjourned AGM.

(e) If at the next AGM, following the adjournment, the quorum is not present within thirty (30) minutes after the appointed time for the commencement of the AGM the Members present are the quorum.

(f) At the AGM of the Sub-Branch the following Motions are to be put and where seconded, discussed and voted on by financial Members to:

(i) Approve the previous Minutes of the last AGM and where required the Minutes of any EGM held after the last AGM.

(ii) Approve the signed reports from the President, Treasurer and Auditor with the financial statements of the Sub-Branch for the previous financial year being in accordance with the financial reporting requirements of the Act, the Branch Constitution and By-Laws.

(iii) Approve the appointment of the Auditor.

(iv) Approve Motion Subscription Fees.

(v) Approve any Motions the Sub-Branch requires to be considered at the next State AGM.

(vi) Announce the results of the formal election of the Sub-Branch Committee positions which were held prior to the AGM or EGM and/or conduct elections from nominations from the floor. (Where a formal election process has been conducted prior to an AGM or EGM the Returning Officer is to provide to the Committee the results in writing of the Ballot and the President it to announce the successful nominations on the day).

(vii) Other business of which notice has been given or which the Chairperson deems important is to be dealt with.

(viii) All Motions, including the names of the Proposer and Seconder that are carried, are to be recorded in the Minutes.

(g) The only business to be transacted at the AGM is that included on the Agenda, unless the Chairperson decides that it is in the interests of the Sub-Branch that business not included on the Agenda be transacted.

(h) A question arising at the AGM is to be decided by a majority unless otherwise required by the Act, the National Constitution or the Branch Constitution or these Rules.

(i) Save for the election of the Sub-Branch Committee which shall be conducted in accordance with Rule 6(f), a question arising at an AGM is to be determined on a show of hands, and unless before or on the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost and an entry to that effect is made in the Minute Book, that entry is evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

(j) At an AGM of the Sub-Branch a Member of the Sub-Branch entitled to vote under these Rules has one (1) vote only. A Member of the Sub-Branch entitled to vote at an AGM may only vote in person. Proxy voting is not permitted.

(k) In the case of an equality of voting on a question, the Chairperson is entitled to exercise a casting vote.

(l) A poll at an AGM may be demanded by no less than five (5) Members of the Sub-Branch entitled to vote at the AGM.

(i) If a poll on any question is demanded, it is to be taken at that meeting in such manner as the Chairperson directs and the resolution of the poll is to be deemed to be a resolution of the AGM on that question.

(ii) If a poll is demanded on the election of a Chairperson, or on a question of an adjournment under Rule 18(t)(ii), it is to be taken immediately.

(iii) A poll that is demanded on any other question is to be taken at such time before the close of the AGM as the Chairperson directs.

(m) Subject to Rule 23(e) a Member of the Sub-Branch is not entitled to vote at the AGM unless their Subscription Fees have been paid to the Sub-Branch.

(n) The Secretary is to provide to the CEO of State Branch by 14 May, or fourteen (14) days following the conduct of the AGM, whichever is the earliest, a copy of the signed and audited Financial Reports, the signed Minutes of the previous AGM, the Draft Minutes of the AGM, a copy of the Sub-Branch Compliance Checklist and a full breakdown of membership for that financial year including League, Affiliate, Honorary and Other Members.

18. EXTRAORDINARY GENERAL MEETING (EGM)

(a) The President of the Sub-Branch or a majority of Sub-Branch Committee Members may call an Extraordinary General Meeting (EGM) at any time.

(b) The Secretary of the Sub-Branch must on the written request of 10 percent of financial Service Members and Life Members of the Sub-Branch convene an EGM.

(c) The request must state the business for which the EGM is required.

(d) The EGM shall be called within thirty (30) days from the receipt of the request, such meeting to be held within forty-nine (49) days of the date of the receipt of the request.

(e) If the Sub-Branch Committee does not convene an EGM pursuant to Rule 18(a) or 18(b) in the time required under Rule 18(d), the EGM may be convened by the Members who had made the request under Rule 18(a) or 18(b).

(f) The Sub-Branch Committee or, if proceeding under Rule 18(d), the requesting Members, must serve on the Members of the Sub-Branch a notice of the EGM together with details of the business to be transacted at least seven (7) days before the EGM. The reasonable costs of calling such meeting shall be paid by the Sub-Branch.

(g) The quorum for an EGM shall comprise those Members present at the appointed time for the meeting, subject to the proviso that the number of Members (who are not Sub-Branch Officers or Committee Persons) present exceeds the number of Sub-Branch Officers and Committee Members present.

(h) If within thirty (30) minutes after the appointed time for the commencement of the EGM a quorum is not present the meeting shall not proceed.

(i) The Secretary of the Sub-Branch must give written notice to all Members of the Sub-Branch of the adjourned EGM at least seven (7) days before the adjourned EGM.

(j) The President of the Sub-Branch is to be the Chairperson of the AGM, but if the Sub-Branch President is not present within fifteen (15) minutes after the time appointed for the commencement of the AGM or is unwilling or unable to act as the Chairperson, the Sub-Branch Vice President or if unavailable the Deputy President, is to be the Chairperson of the AGM. If the Sub-Branch Vice President and Deputy President are not present within fifteen (15) minutes after the time appointed for the commencement of the AGM or are unwilling or unable to act as the Chairperson of the AGM, the League Members of the Sub-Branch present shall elect a League Member to chair the meeting.

(k) The only business to be transacted at the EGM is that included on the Agenda.

(l) A quorum must be present at the EGM before any business is to be transacted, except for the election of a Chairperson and the adjournment of the EGM under Rule 18(i).

(m) A question arising at the EGM is to be decided by a majority unless otherwise required by the Act, the National Constitution, the Branch Constitution or these Rules.

(n) A question arising at an EGM is to be determined on a show of hands and unless before or on the show of hands a poll is demanded, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost and an entry to that effect is made in the Minute Book, that entry is evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

(o) At an EGM of the Sub-Branch a Member of the Sub-Branch entitled to vote under these Rules has one (1) vote only. A Member of the Sub-Branch entitled to vote at an EGM may only vote in person. Proxy voting is not permitted.

(p) In the case of an equality of votes the Chairperson of the meeting is entitled to exercise a casting vote.

(q) A poll at an EGM may be demanded by no less than five (5) Members of the Sub-Branch entitled to vote at the EGM.

(i) If a poll on any question is demanded, it is to be taken at that meeting in such manner as the Chairperson directs and the resolution of the poll is to be deemed to be a resolution of the EGM on that question.

(ii) If a poll is demanded on the election of a Chairperson, or on a question of an adjournment under Rule 18(i), it is to be taken immediately.

(iii) A poll that is demanded on any other question is to be taken at such time before the close of the EGM as the Chairperson directs.

(r) Subject to Rule 23(e) a Member of the Sub-Branch is not entitled to vote at an EGM unless all monies due and payable by the Member to the Sub-Branch have been paid.

(s) At the Sub-Branch EGM, a State Director, the CEO, or representative appointed by resolution of the State Executive, shall have the right to attend and speak at the meeting.

(t) The Secretary is to provide to the CEO of State Branch fourteen (14) days following the conduct of an EGM, a copy of the Draft Minutes of the EGM and where any part of Rule 17(n) has not been complied with that information as well.

MEMBERSHIP

19. MEMBERSHIP CATEGORIES

(a) The Sub-Branch shall comprise the following categories of membership:

(i) Service Member (League)
(ii) Life Member (League)
(iii) Affiliate Member
(iv) Perpetual Member
(v) Life Member of a Sub-Branch
(vi) Associate Member
(vii) Honorary Member of the Sub-Branch, and
(viii) Other Members

20. MINIMUM MEMBERSHIP

The minimum membership of the Sub-Branch shall be five (5) Service Members, unless otherwise determined by the State Board.

21. AGE REQUIREMENT

No person under the age of seventeen (17) shall be admitted to membership of the Sub-Branch.

22. REGISTER OF MEMBERS

The Secretary of the Sub-Branch shall maintain a register of all persons who are Members of the Sub-Branch that clearly indicates the category of membership to which the Members are so admitted, including Other Members. The Register of Members of the Sub-Branch must include the full name, address, and qualifying service particulars (if applicable), the date of entering and the date of joining the Sub-Branch.

23. SUBSCRIPTIONS

(a) That the minimum Annual Subscription payable by Members shall be such amount as is determined from time to time by the Sub-Branch Committee, having regard to the Capitation Fee as determined at the Annual State Congress and ratified at the AGM.

(b) A Sub-Branch must notify its Members of renewal of membership at least one (1) month before the end of the Financial/Calendar Year and the Member must pay the account by the 30th April of each year.

(c) A Service, Affiliate or Other Member shall pay such Annual Subscription to the Sub-Branch as it determined, including, where applicable, an amount at least equal to the Capitation Fee payable to State Branch, as approved from time to time at the Annual State Congress.

(d) A Sub-Branch shall pay to the State Branch such proportion of a subscription received from Service and Affiliate Members as determined, including an amount equal to the Capitation Fee payable to State Branch, from time to time by the Annual State Congress.

(e) A receipt must, on request, be issued to a Member of the Sub-Branch by the Sub-Branch as evidence of payment of the Annual Subscription.

(f) If a Service or Affiliate Member fails to pay their Annual Subscription on or before 30 April, they shall cease to be a Member of the Sub-Branch.

(g) If a Service or Affiliate Member fails to pay their Annual Subscription on or before 30 April they may apply in writing, within eighteen (18) months of their

membership lapsing, through the Sub-Branch to State Branch, stating their reasons why their membership should be reinstated.

(h) A Member of a Sub-Branch, who is not a Life Member, who has not paid the Annual Subscription, is not eligible to speak or vote at a meeting, including elections, or to hold any office in the Sub-Branch.

(i) An Australian full or part time Defence Force Member may be offered free membership of the Sub-Branch for a period not exceeding three (3) years and the Sub-Branch will not be liable to pay Capitation Fees for that Member.

24. SERVICE MEMBER

(a) A person who is eligible to be a Service Member of the League may apply to be a Service Member of the Sub-Branch or State Branch.

(b) It shall be a prerequisite to Service Membership of the Sub-Branch that the Applicant declares:

- I hereby agree if elected a Member to be bound by and comply with the Rules and By-Laws of the Sub-Branch; and
- I hereby declare that I am not a Member of any other organisation whose objectives are incompatible with the objects of the League; and
- I hereby further declare that I am prepared to swear/affirm allegiance to Australia and its people and do hereby subscribe to the Constitution of the Commonwealth of Australia and the Constitution of the Returned & Services League of Australia.

(c) Lodgement of application to be admitted as a Service Member of the League and Service Member of the Sub-Branch.

(i) An application to be admitted as a Service Member of the League and as a Service Member of the Sub-Branch must comply with the National Constitution and the Branch Constitution and these Rules. An Applicant for Service Membership of the League and Service Membership of the Sub-Branch must be nominated by a person who is a Service or Life Member of the Sub-Branch, and seconded by a Member, who is also a Service or Life Member of the Sub-Branch.

(ii) A person who applies to be a Service Member of the League and a Service Member of the Sub-Branch must lodge the application with the

Secretary of the Sub-Branch in writing in the form prescribed from time to time. Not less than two (2) weeks shall elapse between the date of nomination and the date of election of a Service Member of the League and a Service Member of the Sub-Branch.

(iii) Application for membership of the League and membership of the Sub-Branch shall be accompanied by the payment of the Annual Subscription determined by the Annual State Congress of the Branch and any further subscription as set by the Sub-Branch at a General Meeting and hereafter referred to in these Rules. No Applicant who is admitted to membership shall be entitled to a refund of such amount, but where an Applicant is not eligible under the National Constitution to be admitted, the Sub-Branch must return the Annual Subscription.

(iv) The Committee may require an Applicant for membership to produce such evidence, as it thinks fit as to their qualification for membership.

(v) If the Sub-Branch Committee resolves that an Applicant is eligible under the National Constitution to be admitted as a Service Member of the League and is a fit and proper person to be admitted as a Service Member of the League then the Applicant must be admitted as a Service Member of the League and as a Service Member of the Sub-Branch within sixty (60) days of the date the application was lodged.

(vi) If the Sub-Branch Committee resolves that an Applicant applying to be admitted as a Service Member of the League and a Service Member of the Sub-Branch is not eligible under the National Constitution to be admitted as a Service Member of the League, the Committee of the Sub-Branch must within fourteen (14) days from the resolution forward the application, supporting documentation, the Annual Subscription and the reasons for the resolution to the Branch and the application shall then be dealt with by the Branch under the Branch Constitution.

(vii) If the Branch resolves that the Applicant is eligible under the National Constitution to be admitted as a Service Member of the League, the Branch must direct the Sub-Branch to admit the Applicant as a Service Member of the League and thereupon the Sub-Branch must admit the Applicant as a Service Member of the League and as a Service Member of the Sub-Branch.

(viii) If the Branch resolves that the person applying to be admitted as a Service Member of the League is not eligible under the National Constitution to be admitted, the Branch must:

1. Reject the application; and
2. Within fourteen (14) days of the date of rejection advise the Applicant of the decision, the reasons for the decision, and their right of appeal to the State Branch Tribunal.

25. LIFE MEMBER

(a) A Service Member of a Sub-Branch who is elected as a Life Member of the League in accordance with the National Constitution and the Branch Constitution shall automatically become a Life Member of the Sub-Branch.

(b) The rights, privileges and obligations of a Service Member of the Sub-Branch who becomes a Life Member under Rule 25(a) shall not be disturbed by their becoming a Life Member of the League, save and except that they shall not be liable to pay an Annual Subscription either to the League, the Branch or the Sub-Branch as the case may be.

26. AFFILIATE MEMBER

(a) The Sub-Branch shall have a class of membership being an Affiliate Member.

(b) An Affiliate Member shall carry out and further the Objects of the League and an application for membership as an Affiliate shall declare the following:

i. The Affiliate agrees that if elected as an Affiliate to be bound by and to comply with the Rules and By-Laws of the Sub-Branch; and

ii. Declare that they are not a Member of any other organisation whose objectives are incompatible with the Objects of the League.

(c) No person who is eligible for Service Membership of the League shall be able to be admitted as an Affiliate Member.

(d) A person may be eligible to be affirmed as an Affiliate Member if they:

(i) Are not eligible to be a Service Member; and

(ii) Are eighteen (18) years of age or older, and are either;

(iii) A relative of a person (living or deceased) who is or was eligible to be a League Member;

(iv) Been awarded the Certificate of Merit or a National or State Certificate of Appreciation for outstanding service to the League; or

(v) Is, or has been, a Member, for at least six (6) months, of one of the following:

1. A State or Federal Police Force;
2. An Ambulance Service or Brigade;
3. A Fire Brigade or Fire Authority;
4. A State Emergency Service;
5. State Corrections Officer;
6. Cadet Officers and Cadets who at the time of making an application are over eighteen (18) years of age.

(e) Any person being eligible to be an Affiliate Member may apply for such by lodging with the Sub-Branch Secretary an application, on the prescribed form, and must be nominated by a Service, Life Member or an Affiliate Member, and seconded by a Service, Life Member or an Affiliate Member.

(f) An Affiliate Member of a Sub-Branch may be a Member of the Committee of that Sub-Branch, subject to the following:

(i) An Affiliate Member may not be elected to the positions of President or Vice President. They may be elected to the position of Deputy President (if such a position has been made available pursuant to a decision passed at an AGM or EGM of the Sub-Branch), Secretary, Treasurer, or Committee Member on the Sub-Branch Committee.

(ii) An Affiliate Deputy President shall have no right to succeed a President of the Sub-Branch in the event of that office becoming vacant.

(iii) The number of Affiliates on the Committee including Executive Positions shall not be greater than 60 percent of the total membership of the Executive and Committee or such lesser percentage as may be determined by the Sub-Branch in a General Meeting from time to time.

(g) An Affiliate Member on the Committee of the Sub-Branch may speak and vote on all matters relating to the Sub-Branch, save and except the matters referred to in Rule 26 (i) as matters where Affiliates cannot speak or vote.

(h) An Affiliate Member shall not hold any other office in the League. A person may only be an Affiliate Member of one Sub-Branch at any one time. An Affiliate Member shall be able to be transferred to the Unattached List.

(i) An Affiliate Member may speak and vote at a meeting of the Sub-Branch on any Sub-Branch matter, including voting for all Sub-Branch Committee positions, save and except that an Affiliate Member may not speak or vote on any matter to the alteration or amendment to the National Constitution, the Branch Constitution or cast votes for the elections for Branch positions or that of the National President.

(j) An Affiliate Member shall not be entitled to speak and vote at a meeting of the Sub-Branch in relation to the Sub-Branch voting for State Board positions.

27. PERPETUAL MEMBER

(a) The Sub-Branch may elect to honour Non-League Members by bestowing upon them the title of Perpetual Member.

(b) The Sub-Branch may in an AGM or EGM on the Motion of the Committee of the Sub-Branch award a Sub-Branch Perpetual Membership to an Affiliate or Other Member who has given outstanding service to the Sub-Branch in relation to the maintenance of the Sub-Branch, assistance in the operation of the Sub-Branch, or the support of the social and community activities of the Sub-Branch.

(c) A Sub-Branch is to determine at an AGM or EGM whether Perpetual Members are required to pay subscriptions to the Sub-Branch. Where a decision is made not to require Perpetual Members to pay subscriptions to the Sub-Branch, Capitation Fees will still be required to be paid to State Branch for Perpetual Members who previously paid Capitation Fees.

(d) Perpetual Members are bound by the Rules of this Constitution and subject to Rule 27 (c) may not be required to pay subscriptions.

28. LIFE MEMBER OF THE SUB-BRANCH

(a) Those Service Members who at the date of the adoption of this Constitution were Life Members of the Sub-Branch and League shall continue to hold that position and the privileges of that position.

(b) Those League, Affiliate and Other Members, who were awarded Life Membership of the Sub-Branch prior to the adoption of this Constitution will continue to be referred to as “Life Members of the Sub-Branch”.

(c) A Life Membership that is awarded pursuant to this Rule shall not affect the voting rights of the persons so appointed.

29. ASSOCIATE MEMBER

(a) The Sub-Branch shall have Associate Members who will have the same rights as a Service Member except voting rights.

(b) Applications for membership as an Associate Member are to be made in writing and addressed to the Secretary of the Sub-Branch.

30. HONORARY MEMBER OF A SUB-BRANCH

(a) A person may be elected as an Honorary Member of the Sub-Branch (for such time as the Committee of the Sub-Branch shall determine) if they are seventeen (17) years of age or older and are not a League or Affiliate Member but are either:

(i) a Member of an association or organisation which is a Member of the Royal Commonwealth Ex-Services League during their presence in Tasmania, but not exceeding a period of three (3) months;

(ii) a Member of a State Parliament, the Parliament of the Commonwealth of Australia, or a Councillor of the municipality in which the Sub-Branch is situated;

(iii) a current serving Member of the ADF, upon presentation of a Service Identification Card, such Honorary Membership shall operate whilst the serving Member is present on the Sub-Branch premises.

(iv) a member of a sporting, social or cultural body visiting the Sub-Branch for the day, but subject to the approval of the Committee of the Sub-Branch.

(b) An Honorary Member of the Sub-Branch is not entitled to vote at the election of the Members of the Committee of the Sub-Branch or on any other matter.

(c) An Honorary Member shall not be required to pay an Annual Subscription.

(d) A person shall not be admitted as an Honorary Member of the Sub-Branch unless the person is of a class specified in the Rules and the admission is in accordance with the Rules.

(e) A Sub-Branch Committee may decide at any time to revoke the membership of an Honorary Member.

31. OTHER MEMBER

(a) The Committee of the Sub-Branch shall prior to considering the application of a person to be a Social or Community Member seek the views of other Members of the Sub-Branch and pay due regard to such views prior to the consideration of the application for approval of the person to be admitted as a Social or Community Member

(b) A person is eligible to be a Social or Community Member of the Sub-Branch if they:

(i) are over the age of eighteen (18) years;

(ii) have signed a Membership Application Form for Other Members, being a Social or Community Member, which requires the Social or Community Member to be bound by the Rules and By-Laws of the Sub-Branch and the League; and

(iii) have declared that they are not a member of any organisation whose objectives are not compatible with the Objects of the League and, if an Australian Citizen, they are prepared to affirm/swear loyalty to the Commonwealth of Australia and its Head of State and to uphold the Constitution of the Commonwealth;

(iv) have paid the Annual Membership Subscription as determined by the Committee of the Sub-Branch.

(c) A Social or Community Member of a Sub-Branch may be a Member of the Committee, or a Member of the Executive as provided in these Rules. There shall not be more than two (2) Social or Community Members on the Committee unless the State Board consents in writing to a greater number. The State

Board may impose such conditions on its consent as it considers appropriate. Social or Community Members shall not hold both the position of Secretary, Treasurer or Secretary/Treasurer of the Sub-Branch, except as determined under Rule 5(k), nor shall a Community Member hold the position of President, Vice President, or Deputy President of the Sub-Branch.

(d) A Social or Community Member shall be able to be nominated to certain Sub-Branch Committee positions by any Member of the Sub-Branch including League, Affiliate, Social or Community Members.

(e) A Social or Community Member of the Committee shall only be able to vote on matters relating to the conduct of the Sub-Branch facilities operated at the Sub-Branch.

32. CESSATION OF MEMBERSHIP

(a) A Member may resign from the Sub-Branch or from the Branch/League and the Sub-Branch by giving one (1) months' notice in writing in the form prescribed from time to time to the Secretary of the Sub-Branch or the Sub-Branch and the Branch/League of their intention to resign, whereupon he ceases to be a Member of the Sub-Branch and a League Member at the expiration of that period of notice.

(b) Upon the expiration of the notice given under Rule 32(a), the Secretary of the Sub-Branch must record in the Register of Members of the Sub-Branch the date the person ceased to be a League and Sub-Branch Member.

(c) A Service Member who does not pay their Annual Subscription by 30 April or has not paid any Life Subscription ceases to be a Service Member of the League and the Sub-Branch.

(d) An Affiliate Member who does not pay their Annual Subscription by 30 April ceases to be an Affiliate Member of the Sub-Branch.

(e) A person who ceases to be a Member:

i. is not entitled to a refund of the Annual Subscription;

ii. is liable for all amounts owing by them to the Sub-Branch or the Branch; and

iii. is to return the League Badge or Affiliate Badge to the Secretary of the Sub-Branch.

(f) A right, privilege, or obligation of a Member is not capable of being transferred or transmitted to another person; and terminates upon the person ceasing to be a Member, whether by death, resignation or otherwise.

33. TRANSFER OF MEMBERSHIP

(a) A League, or an Affiliate Member, who desires to transfer their membership to another Sub-Branch, may do so provided the provisions relating to transfer of a Member in the Branch Rules are complied with. By-Law 9 refers.

(b) A League, or an Affiliate Member, who wishes to apply for a transfer to another Sub-Branch, must inform the Sub-Branch Secretary of their intention to transfer their membership to another Sub-Branch.

34. PROVISION OF RSL MEMBER CARD

The Sub-Branch shall request the Branch to issue League and Affiliate Members of the Sub-Branch with an RSL Membership Card. The Sub-Branch shall make such request to the Branch in relation to League and Affiliate Members as soon as practicable after the said Members have become financial Members of the Sub-Branch.

35. NOTICES TO AND FROM MEMBERS

a. A notice, written request, or any other communication under these Rules may be served on a Member, either personally, via electronic means, or by sending it by post to their last known address.

b. If a notice or communication is properly addressed, prepaid, posted and or sent electronically, it is deemed to have been given to the addressee at the time of posting.

c. A notice may be served by sending to the Member a copy of any magazine/newsletter published by the Sub-Branch, which contains a full copy of the relevant notice.

d. A general notice to Members is to be posted on the notice board.

e. Every Member is responsible for communicating in writing to the Secretary regarding a change of particulars including name, address and if applicable email address.

DISPUTES AND MEDIATION, DISCIPLINARY PROCEDURES, APPEALS, AND SUSPENSION OR DISSOLUTION OF THE SUB-BRANCH

36. DISPUTES AND MEDIATION

(a) That in the event of a dispute between Service, Life, Affiliate and/or Other Member/s, and the Sub-Branch, or between Service, Life, Affiliate and/or Other Member/s, the following procedures to attempt to resolve the dispute shall apply:

(i) that all parties to the dispute shall within fourteen (14) days after the arising of the dispute meet together and attempt to resolve the dispute;

(ii) if the parties fail to meet, or to resolve the dispute, a meeting shall take place in the presence of a Mediator appointed by the Sub-Branch Committee;

(iii) the Mediator may be a Member of the Sub-Branch Committee, or a person appointed by the Sub-Branch Committee for the purposes of conducting the mediation;

(iv) the Mediator shall conduct the mediation so as to give the parties a proper opportunity to be heard, and to produce written submissions if they desire and to ensure that natural justice is accorded to the parties. The Mediator shall not decide the dispute;

(v) all parties to the dispute must in good faith attempt to resolve the dispute by mediation;

(vi) where the mediation process does not result in a dispute being resolved, the Mediator is to refer the matter back to the Sub-Branch Committee to determine whether the dispute warrants disciplinary action being taken against one or all of the parties.

(vii) Where the Sub-Branch Committee agrees to take no further action in the matter, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

37. DISCIPLINARY PROCEDURES

(a) A Sub-Branch Committee must, where able, determine a disciplinary matter and impose discipline in relation to one of its Members unless:

(i) it believes that the discipline that it can impose is not sufficient;

(ii) it is unable to form a Sub-Committee to hear the allegations;

(iii) is precluded by State Branch Rules from hearing such a matter; or

(iv) the State Board requires that the matter be referred to it or the State Branch Tribunal.

(b) Notwithstanding the provisions of Rule 36, if the Sub-Branch Committee has reason to believe that a League, Affiliate or Other Member may be guilty of Conduct Unbecoming a Member, it shall give not less than fourteen (14) days' notice in writing to that Member of the date, time and place of its meeting at which it will consider whether or not they have committed such conduct.

(c) For the purposes of this Constitution, Conduct Unbecoming a Member may include, but is not limited to, conduct whereby a Member has:

(i) wilfully refused or neglected to comply with the provisions of the National Constitution, any National By-Laws, this Constitution or By-Laws;

(ii) engaged in conduct subversive, prejudicial or detrimental to the interests of the League, the State Branch, the Sub-Branch or Chapter:

(iii) engaged in conduct detrimental or prejudicial to the interests of RSL TAS Inc.;

(iv) engaged in conduct detrimental or prejudicial to the interests of the Sub-Branch of which they are a Member;

(v) been convicted of a serious offence;

(vi) been found guilty of falsely representing him or herself to be or have been a soldier, sailor or airman;

(vii) misrepresented his or her service history; or

(viii) been found guilty of wearing a service medal, award, or decoration for which they are not authorised.

(d) The Sub-Branch Committee may, if it considers the seriousness of the charge is such that the safety and good order of Members could be jeopardised, suspend any Member who has been given a notice pursuant to Rule 37(a) from attending the Sub-Branch premises for a period of thirty (30) days, or until the hearing of the charge against the Member, whichever date shall first occur.

(e) The Notice referred to in Sub-Branch Rule 37 (a) shall be accompanied by a statement in which there shall be set out full and precise particulars of the conduct of the Member which will be considered by the Committee.

(f) Either prior to or at the meeting of the Committee the Member concerned may request the Committee to elaborate upon any of the particulars set forth in the said statement. Such a request shall be complied with by the Committee. The said Member may put to the Committee at the meeting such facts as they may consider relevant and shall be given every opportunity to address it.

(g) The Committee shall decide at the meeting whether the Member has been guilty of Conduct Unbecoming a Member. If the Committee is satisfied the Member has been guilty of such conduct, it may resolve that:

(i) they be placed on a warning to improve their conduct, or

(ii) be reprimanded, or

(iii) be suspended from membership of the Sub-Branch for a period not exceeding twelve (12) months, or

(iv) in the case of League and Affiliate Members it may resolve that the matter, being that serious, should be referred to the State Branch, or

(v) in the case of an Other Member, that the Member be expelled from membership of the Sub-Branch.

(h) The substance and decision of the meeting referred in Rule 37 (f) shall be recorded in the Minutes of the meeting. Written notices, submissions and other correspondence relevant to the meeting shall be certified, by the President and another Committee Member, within seven (7) days after the meeting and any decision(s) recorded in the Minutes of the following Committee Meeting.

(i) State Branch is to be advised, upon issue of the notice to the Member, and the outcome of the hearing.

38. APPEALS

(a) The rights of appeal from the decision of the Committee shall be restricted to League and Affiliate Members, and there shall be no right to appeal to the State Branch Tribunal in relation to the decision of the Committee concerning Other Members.

(b) A League or Affiliate Member aggrieved by a resolution of a Committee may appeal to the State Branch Tribunal by notice in writing addressed to the CEO of the Branch who shall forward it to the State Branch Tribunal. Such appeal shall be lodged within fourteen (14) after the notification in writing referred to in Rule 37(g) and upon lodging of the appeal, the decision of the Committee shall be stayed (unless otherwise ordered by the State Tribunal) until the appeal is concluded, abandoned or discontinued.

(c) Any appeal shall be conducted in accordance with the Branch Rules.

39. SUSPENSION OR DISSOLUTION OF THE SUB-BRANCH

(a) If the Sub-Branch contravenes or fails to observe or perform any of the provisions of the National Constitution, the Branch or its own Constitution, or fails to be bound by or promote the standing policy of the League, or has been guilty of conduct prejudicial to the interests of the League, the Branch may deal with the matter in accordance with Branch Rule 36.

(b) If the Charter of the Sub-Branch is suspended, the Members of the Sub-Branch are to arrange to meet and decide whether they wish the Sub-Branch to continue, and if so, a new Committee is to be elected to resolve the issues that led to the suspension of the Charter.

(c) Where the Members decide to elect to appoint a new Committee, all previous Committee positions will fall vacant and nominations for the Committee will only be taken from Members not previously part of the former Committee. The new Secretary will advise the CEO of State Branch within fourteen (14) days of the names and contact details of the new Committee Members.

(d) Where a new Committee is elected, it will pledge to work diligently with the State Board to resolve the issues that led to the suspension of the Charter.

(e) The State Board may at any time, suspend, revoke or reinstate the Charter of a Sub-Branch.

(f) If the Sub-Branch is dissolved, wound up, or its Charter is withdrawn by the Branch, the Sub-Branch property shall be dealt with in accordance with Rule 15(e).

CONSTITUTION, BY-LAWS AND OTHER REQUIREMENTS

40. ALTERATION TO THESE RULES

(a) The Sub-Branch shall not without the consent in writing of the State Board make any new Rule, alteration or variation to the Rules of this Constitution. No new Rule, alteration or variation to these Rules shall take effect, unless and until the new Rule, alteration or variation has been approved in writing by the State Board and by a General Meeting of the Sub-Branch in accordance with the provisions of the Act. Notice of the Rule change is required to be lodged pursuant to the provisions of the Act, and also with the ACNC.

(b) The Public Officer of the Sub-Branch shall within one (1) month after the passing of a resolution making it a new Rule or altering or varying these Rules lodge pursuant to the provisions of the Act a written notice of the special resolution setting out the particulars of the new Rule, alteration or variation.

(c) If there is inconsistency between these Rules and the Branch Constitution and/or the National Constitution, the Branch Constitution and the National Constitution shall prevail to the extent that the Branch Constitution and the National Constitution do not conflict with the requirements of *Gaming Control Act, the Liquor Licensing Act, the Associations Incorporation Act* and/or any other relevant Act. Where there is any inconsistency between the Branch Constitution and the National Constitution, the provisions of the National Constitution shall prevail.

41. BY-LAWS

(a) The Sub-Branch may draw up Sub-Branch By-Laws for its administrative activities. The Sub-Branch By-Laws must not be inconsistent with the National Constitution, the Branch Constitution, or these Rules. Insofar as the Sub-Branch By-Laws are inconsistent with the National Constitution or the Branch Constitution or these Rules, they are invalid.

(b) The Sub-Branch By-Laws are to be submitted to the Branch for approval and are not operative until approved in writing by the State Board.

(c) Sub-Branches may establish policies and procedures providing they are not in conflict with the National or Branch Constitution and By-Laws, and this Constitution and its By-Laws.

42. POLICY

The Policy of the Sub-Branch shall be non-sectarian, and in relation to the questions of party politics non-partisan.

43. RULES CONSTITUTE TERMS OF A CONTRACT

These Rules constitute terms of a contract between the Sub-Branch and a Member. A Member agrees that by virtue of their membership of the Sub-Branch to be bound by these Rules, the National Constitution, and the Branch Constitution.

44. NO AMALGAMATION

The Sub-Branch must not amalgamate with any other body without the prior written approval of the State Board.

45. COMMUNICATIONS WITH GOVERNMENTS, THE LEAGUE AND BRANCHES

A League matter raised by the Sub-Branch or a Member of the Sub-Branch for the attention of any Government of the Commonwealth, State or Territory, the League or any of its Officers or the Branch or any other State Branch, must be directed through the CEO, unless otherwise approved in writing by the State Board.

46. SUB-BRANCH MILITARY MEMORABILIA

A Sub-Branch must record in its Property Register all its military and historical memorabilia, and such property is not to be disposed of without the prior written approval of the State Board.

47. RECITAL OF THE ODE OF REMEMBRANCE

Recital of the *Ode of Remembrance* is to be observed at 6:00pm or such other time as agreed by the Committee on each occasion the Sub-Branch premises are open.

48. VISITORS AND GUESTS

(a) The names of all Visitors and Guests shall be recorded in a Visitors and Guests Book kept for that purpose.

(a) Visitors shall be entitled to attend the Sub-Branch premises in accordance with the provisions of the *Liquor Licensing Act 1990*. Such Visitors shall be required to sign the Visitors and Guests Book and shall be required to leave the premises if requested by the Management of the Sub-Branch at any time to do so.

(b) Guests of Members names and addresses shall be entered in the Visitors and Guests Book, which shall be signed by the Member introducing the Guests. Guests may only remain in the Sub-Branch during the pleasure and presence of the Member introducing them and must not be supplied with liquor in the Sub-Branch premises unless the Guest is in the company of a Member of the Sub-Branch. Members introducing Guests are responsible for their good conduct.

(c) The number of Guests allowable shall not exceed six (6) per visit, or such other number as shall be fixed by the Committee from time to time, except when with the consent of the Committee a special function is held at which one (1) or a small number of Members is or are the host.

(d) The same Guest may not be admitted to the Sub-Branch on more than six (6) occasions in the one (1) calendar year, but this restriction shall not apply to a Members' partner, son or daughter or other immediate member of the Member's family.

(e) Visitors and Guests may be allowed to take part in games conducted at the premises of the Sub-Branch but not to the exclusion of Members of the Sub-Branch and any such Visitor if requested by an Officer or Official of the Sub-Branch to vacate the premises shall do so immediately.

This Rule is subject to the provisions of the *Liquor Licensing Act 1990* and shall be construed in a manner that complies with that Act and directions and Rules made pursuant to the *Liquor Licensing Act 1990*.

SCHEDULE 1

THE POWERS OF WESTBURY RSL SUB BRANCH INC AS VESTED IN THE SUB-BRANCH COMMITTEE

1.1. Without limiting the powers of the Sub-Branch Committee as set out in Rules 6 and 9, the Sub-Branch Board may:

a. Purchase, take on lease or in exchange or otherwise to acquire any land, buildings, easements of property real or personal which may be required for the purposes of, or be conveniently used in connection with any of the objects of the Sub-Branch and for the purpose of managing revenue the better to finance the operations of the Sub-Branch and the maintenance of any premises owned by it to lease, sell, demise, mortgage, give in exchange or otherwise dispose of the same or any part thereof from time to time and to grant easements in, through, over, or upon, any land, and to acquire easements or other rights of any kind or nature over any other real or personal property provided that if the Sub-Branch takes or holds any property which is subject to any Trusts the Sub-Branch must deal with the property in such a manner as is allowed by law having regard to such Trusts. The Sub-Branch in exercising the rights in relation to the lease, purchase, transfer, exchange, or sale of any real estate shall not take such action without the prior written approval of the State Board pursuant to Branch Rule 27.11.

b. Borrow or raise money or to secure the repayment of any debt, liability or engagement incurred, undertaken, or entered into by the Sub-Branch by the issue of bonds, debentures, bills of exchange, promissory notes or other obligations or securities of the Sub-Branch or by way of overdraft or by mortgage or charge on all or any part of the property and assets of the Sub-Branch. The powers contained in this Rule shall only be exercised with the prior consent in writing of the State Board pursuant to Branch Rule 27.11.

c. Encourage the fullest liaison and co-operation with other responsible persons and organisations in the community as the Committee shall decide, with particular emphasis to encouraging the use of the rooms of

the Sub-Branch when such use shall be calculated to benefit the community.

d. Draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, warrants, debentures and other negotiable or other transferable interests.

e. Invest and deal with the money of the Sub-Branch not immediately required upon such securities and investments, generally in such manner, and in accordance with the directions by the Committee.

f. Undertake and execute any Trusts which may seem to the Sub-Branch conducive to any of its Objects and in accordance with the overall policy of the League.

g. Engage, employ, dismiss and remunerate professional advisers, secretaries, accountants, managers, brokers, experts and such other persons, Officers and employees as may be necessary or desirable for the purpose of carrying on the business of the Sub-Branch or furthering any or all of the objects herein set out.

h. Establish and maintain funds for relief, scholarships, insurance, mortuary, sickness, or other benefits and/or for the assistance or advantage of Members or their dependants or the dependants of deceased Members contributing thereto from any of the revenues of the Sub-Branch.

i. Encourage the formation of a Women's Auxiliary, youth, and other subsidiary associations subject to the provisions of the Branch Constitution and By-Laws.

j. Construct, improve, maintain, furnish, develop, work, manage, carry out, alter or control any houses, buildings, clubrooms, information bureaux, libraries, literary, social, educational and benevolent institutions, grounds, works or conveniences which directly or indirectly advance the Sub-Branch's interests, and to contribute to, subsidise or otherwise assist and take part in the above.

k. Take any gift of property, whether subject to any special Trust or not, for any one (1) or more of the Objects of the Sub-Branch.

l. Make grants, donations, gifts and give assistance to such persons, Trusts, groups, associations, societies, institutions, or other entities as the Sub-Branch thinks fit and is in accordance with the Objects of the Sub-Branch; and

m. Do all such other things as are incidental or conducive to the attainment of the Objects and the exercise of the powers of the Sub-Branch.