



BY-LAWS

OF

**THE RETURNED & SERVICES LEAGUE OF AUSTRALIA
(SA BRANCH) INCORPORATED**

STATE AND SUB-BRANCH BY-LAWS

NOTE FOR USERS

As part of the current work being undertaken by the By-Law Rewrite Working Group, these By-Laws are progressively being updated to better align with the 2023 State Branch Constitution. The Rules referred to in these By-Laws are outdated due to the most recent Constitution being adopted. Consequently, users should refer to the current Constitution to find the correct clause. This will be rectified in due course as the updated By-Laws are implemented.

All these By-Laws apply to all members of RSL SA Inc, there is no longer a separate list of By-Laws for State Branch and for Sub-Branches. The revised By-Laws will be published as they are progressively updated and will change over time. Therefore, it is recommended that this site is used for confirming the currency of a particular By-Law rather than keeping individual downloaded copies.

Please note the following amendments as at 16 April 2024, enacted by the RLSA Board:

By-Law N3 Membership, replaces By-Law 1, 2, 3 and 6.

By-Law N7 Commemoration and Protocol replaces By-Law 14 and 15.

By Law N8 replaces By-Law 16, 17, 18 and 19.

By-Law N9 replaces By-Law 9.

By-Law N11 has been withdrawn and removed.

By-Law N12 replaces By-Law 12 and 13.

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BY-LAW NUMBER THREE (3)

MEMBERSHIP

OF

**THE RETURNED & SERVICES LEAGUE OF AUSTRALIA
(SA BRANCH) INCORPORATED**

Motto: The Price of Liberty is Eternal Vigilance

V2.0 – 16 April 2024

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MEMBERSHIP OF RSL SA INC

1. Introduction

- 1.1. The purpose of this By-Law is to provide the detail and clarity for State Branch and Sub-Branches in the management of the membership within RSL SA Inc. This document outlines the processes and procedures and should be read in conjunction with the RSL Rules.
- 1.2. An individual who applies to join the RSL is admitted as a member of the League. In general, the individual is a member of the State Branch when allocated to a particular Sub-Branch or Chapter responsible for administering the individual's membership.

2. Definitions

- 2.1. “**Affiliate Member**” means a category of financial Sub-Branch membership for those who do not fit the criteria for Service Membership.
- 2.2. “**Associate Member**” means a person who is a financial member of a Sub- Branch and chooses to be associated with another Sub-Branch. This type of membership is only available to those of the Service Member category.
- 2.3. “**Chapter**” means a group of individuals that qualify for Service Membership but do not have the required number of members to maintain or establish a formal Sub-Branch. Such a group will allow for an RSL presence to be retained or established.
- 2.4. “**Financial Member**” means an individual who has paid their subscription when due and prior to being eligible to vote.
- 2.5. “**Lapsed Member**” means an individual who has remained in arrears for more than 12 months as of 30 April each year.
- 2.6. “**League**” means the RSLA, each State Branch and each Sub-Branch from time to time and the members from time to time, of any one or more of these bodies, and a reference to ‘the League’ is to one, some or all of these entities as the content admits or requires.
- 2.7. “**Other Members**” means a category of financial membership that do not fall within the existing categories of membership but has a benefit to the organisation.
- 2.8. “**Service Member**” means the category of financial membership that subject to qualification as such, are current or ex-serving members of the Australian Defence Force or allied military forces.

3. Categories of RSL SA Inc Members

- 3.1. Sub-Branches - an incorporated association authorised by the State Board through the granting of a Charter. A Sub-Branch holds voting rights at the Annual Sub-Branch Conference.
- 3.2. Chapters - an unincorporated entity formed to establish or maintain an RSL presence where none currently exists and/or the potential membership does not meet the criteria for establishing or maintaining a Sub-Branch. A

Chapter is affiliated and administered by State Branch and does not hold voting rights at the Annual Sub-Branch Conference.

- 3.3. Unattached Members List - those individual Members who choose to not belong to a specific Sub-Branch. An unattached member holds voting rights applicable to their category of membership.
- 3.4. Miscellaneous Members List - a list of those Members who have been transferred due to a decision of a State Branch or National Tribunal.

4. Types of Individual Membership

- 4.1. Those individuals who become members of the League fall into one of the following types as outlined in the [RSLA By-Laws](#):
 - 4.1.1. Service Members - hold full voting rights, can be elected to any position within RSL SA Inc.
 - 4.1.2. Affiliate Members - hold some voting rights, can be elected to a Sub-Branch Committee position with the exception of the President or Vice-President position. Refer to Sub-Branch Model Rules.
- 4.2. There are three additional special types of membership as granted at the sole discretion of the RSLA Board.
 - 4.2.1. Life Members - a Service Member who has given long and distinguished service to the League. A Life Member is afforded certain rights, privileges and honour in recognition of their significant contribution to the League.
 - 4.2.2. Honorary Members - a person appointed by the RSLA Board for a period it deems appropriate.
 - 4.2.3. Honorary Life Members - a person of high standing or significance granted membership by the RSLA Board.
- 4.3. The addition of Affiliate is granted at the sole discretion of the RSLSA Board
 - 4.3.1. Life Affiliate Member - an Affiliate Member who has given long and distinguished service to the League. The elevation of an Affiliate to Life Affiliation of The Returned & Services League of Australia SA Branch (RSL-SA) is an honour that may only be approved by the RSLSA State Board on the recommendation of a Sub-Branch.
- 4.4. Any other types of membership are determined by the State Branch as appropriate. Proposals by Sub-Branches seeking an additional category of membership must be submitted to State Branch for State Board consideration and approval. Such proposals require a full business case justification outlining the benefits, risks, and eligibility.

5. General Eligibility

- 5.1. The State Board is the authorising body and determines the criteria for granting membership.
- 5.2. In general, all individual applicants who join the League must:
 - 5.2.1. commit to pursuing the objects of the League;
 - 5.2.2. uphold the interests and reputation of RSL SA Inc;
 - 5.2.3. abide by the Code of Conduct; and

- 5.2.4. be a fit and proper person.
- 5.3. All members of RSL SA Inc shall be 18 years or older, with the exception of any current or ex serving member of the ADF.

6. Specific Membership Eligibility

- 6.1. With the exception of the Affiliate category, the specific eligibility requirements for each membership type is outlined in detail in the [RSL Rules](#).
- 6.2. The specific eligibility requirements for Affiliate membership of RSL SA Inc are:
 - 6.2.1. a person who is not eligible to be a Service Member;
 - 6.2.2. a person who meets the general eligibility requirements;
 - 6.2.3. any person deemed by the State Board who would provide valuable service to the League or has demonstrated their desire to assist RSL SA Inc in achieving its objects.

7. Applying to Become a Member

- 7.1. A person may apply to become a member of the League by:
 - 7.1.1. submitting an application to State Branch or a Sub-Branch in the relevant form provided on the [RSL SA Inc website](#); and
 - 7.1.2. providing all necessary supporting evidence to confirm eligibility.
- 7.2. An applicant may state they wish to join either as:
 - 7.2.1. a member of a specific Sub-Branch;
 - 7.2.2. to be an Unattached Member.
- 7.3. For applications for Affiliate membership, the nominator of the applicant must be a Service member.

8. Administering Applications for Membership

- 8.1. The Sub-Branch or Chapter must submit an application for membership to the State Branch Membership Officer within 14 days of receipt.
- 8.2. In circumstances where an applicant has not nominated a specific Sub- Branch they wish to join, State Branch will decide an appropriate Sub-Branch in consultation with the applicant unless the applicant wishes to be placed on the Unattached List.
- 8.3. The State Branch Membership Officer will issue notification to the applicant:
 - 8.3.1. advising of the status of their application;
 - 8.3.2. confirming assigned Sub-Branch;
 - 8.3.3. providing membership card and RSL badge; and
 - 8.3.4. details of the Sub-Branch point of contact.
- 8.4. The State Branch Membership Officer will provide to the Sub-Branch confirmation:
 - 8.4.1. of the status of the application for membership; and
 - 8.4.2. name and contact details of the successful applicant.

9. Assessing the 'Fit and Proper' Person Criteria

- 9.1. The criteria for assessing if a person is not 'fit and proper' to become a member of the League are:
 - 9.1.1. refusing or wilfully neglecting to comply with RSL Rules;
 - 9.1.2. been guilty of conduct unbecoming a member;
 - 9.1.3. been guilty of conduct subversive to the Objects and values of the League;
 - 9.1.4. been convicted of an indictable offence or imprisoned for a serious offence; or
 - 9.1.5. has a current violence-related intervention order in place.
- 9.2. Only upon final determination by the State Board may an expelled member be readmitted to the League.

10. Declining an Application to Become a Member of the League

- 10.1. A membership application submitted by a Sub-Branch may be declined by the State Board, if in its assessment, the application:
 - 10.1.1. does not satisfy the general eligibility criteria for membership;
 - 10.1.2. the applicant has previously received a sanction on disciplinary grounds;
 - 10.1.3. the applicant has had their League membership suspended or cancelled in other League jurisdictions; or
 - 10.1.4. the applicant's membership would be prejudicial to the interests of RSL SA Inc.
- 10.2. The State Branch will provide in writing to the applicant, the reasons as outlined at clause 8.1 for declining a membership application.
- 10.3. Prior to making a decision to not accept an applicant, State Branch must afford the applicant reasonable opportunity to be heard or to make representation in writing.
- 10.4. Where an application has been declined, any subscription fees paid will be refunded in full.

11. Commencement of Membership

An applicant for membership of RSL SA Inc commences their membership upon the acceptance by State Branch of the application and the payment of membership subscription fees.

12. Associate Membership

- 12.1. A Service Member of one Sub-Branch may choose to be associated with another Sub-Branch or Chapter and is known as an Associate Member under the following conditions:
 - 12.1.1. Hold voting and speaking rights of only one Sub-Branch.
 - 12.1.2. Hold office of only one Sub-Branch Committee.

- 12.1.3. Nominates in writing to the State Branch, and the relevant Sub-Branches, the Sub-Branch at which they will exercise these rights.
- 12.1.4. May only become or change associate membership once in any membership year.

13. Management of Past Membership Types

- 13.1. Over time there have been circumstances where some different types of membership have been put in place that are in contravention of the current RSL Rules. As a consequence, this clause is to address the existence of these membership types and to implement a 'grandfathering' arrangement for those members who currently fall into these categories.
- 13.2. This By-Law formally ceases the practice of applying the membership categories as listed at clauses 13.3 and 13.4 and takes effect on the date this By-Law is endorsed by the State Board.
- 13.3. Sub-Branch Life Members
 - 13.3.1. From the date of effect of this By-Law, the granting of Sub-Branch Life Member status shall no longer be granted to any other member.
 - 13.3.2. For those existing members who have been granted Sub-Branch Life Member status, they will retain this membership status for the duration of their involvement with RSL SA Inc.
 - 13.3.2.1. Where a member transfers to another Sub-Branch, this category of membership is rescinded.
 - 13.3.3. While an annual membership subscription fee is not paid by the member, a capitation fee is levied on the Sub-Branch. The Sub- Branch is required to include this category of membership in the monthly return.
- 13.4. Sub-Branch Life Affiliates
 - 13.4.1. From the date of effect of this By-Law, the granting of Sub-Branch Life Affiliate status shall no longer be granted to any other member.
 - 13.4.2. For those existing members who have been granted Sub-Branch Life Affiliate status, they will retain this membership status for the duration of their involvement with RSL SA Inc.
 - 13.4.2.1. Where a member transfers to another Sub-Branch, this category of membership is rescinded.
 - 13.4.3. While an annual membership subscription fee is not paid by the member, a capitation fee is levied on the Sub-Branch. The Sub- Branch is required to include this category of membership in the monthly return.
- 13.5. Social Members
 - 13.5.1. There is no longer a type of membership called Social Member. There are only two general types of RSL SA Inc membership, Service or Affiliate Members.

13.5.2. Any individuals who are currently deemed Social Members or similar, must apply for either Service or Affiliate Membership within 90 days of this By-Law coming into effect.

13.5.2.1. Failure to apply for Service or Affiliate membership within the 90 days shall mean that their membership has lapsed.

14. Membership Records

- 14.1. New members will be admitted and entered into the central Membership Register held by State Branch and recorded as being attached to the Sub- Branch through which the application was made.
- 14.2. On a quarterly basis, State Branch will provide an update to Sub-Branches of those members that they administer. The Membership Officer/Secretary is to reconcile the Sub-Branch records and advise the State Branch Membership Officer of any changes.
- 14.3. Notification of a death of a member must be advised to State Branch by the Sub-Branch as soon it becomes known.

15. Confidentiality of Membership

- 15.1. In accordance with the Privacy Act 1988 personal information collected will be stored and used for the purpose of membership management. All such membership information will be held in the State Branch membership database.
- 15.2. The names and contact details of members shall be confidential and shall not be available to any person other than the Chief Executive Officer or the State Branch Membership Officer except as follows:
 - 15.2.1. to the President, Secretary, Treasurer or Membership Officer of the Sub-Branch.
 - 15.2.2. to the State Board.
 - 15.2.3. to an Inquiry Officer.

16. Transferring Sub-Branches

- 16.1. A member may transfer from a Sub-Branch to another Sub-Branch or to become an Unattached Member.
- 16.2. A member who transfers their membership or voting rights from one Sub- Branch to another shall be ineligible to vote at the Annual General Meeting of more than one Sub-Branch in any one year.
 - 16.2.1. Notwithstanding this clause, members of a Sub-Branch which resolves to amalgamate with another Sub-Branch shall be eligible to take part in the merged Sub-Branch Annual General Meeting upon the amalgamated Sub-Branch coming into operation during the individual's period of membership.

17. Membership Subscriptions

- 17.1. Members and applicants for membership shall pay a membership subscription fee at an amount fixed by the Annual Sub-Branch Conference upon recommendation of the State Board.

- 17.2. Membership subscription fees are paid in advance and are due annually on the first day of January of each calendar year.
 - 17.2.1. For those new members who join the League on or after 30 September and up to 31 December of the current membership year, shall pay a full membership subscription. This payment shall cover the remainder of the membership period before the first day of the Calendar Year and for the following membership period commencing on 01 January.
- 17.3. League Life Members, Honorary Members and Honorary Life Members are not required to pay an annual membership subscription fee.
- 17.4. An Associate Member shall pay the annual subscription fee at the prescribed amount, less than the capitation fee.
- 17.5. Any member whose subscription is in arrears shall be ineligible to take part in any business or proceeding of the State Branch or Sub-Branch. Such ineligibility shall cease immediately upon the receipt of the payment of the arrears.
- 17.6. Any member whose subscription has remained in arrears for more than 12 months as of 30 April each year, their membership will be deemed as lapsed.

18. Ceasing Membership of the League

- 18.1. A person ceases being a member of the League:
 - 18.1.1. if the person fails to pay the annual subscription on or before 30 April following the date annual subscriptions become due;
 - 18.1.2. by giving notice in writing to the State Branch or Sub-Branch of which they are a member;
 - 18.1.3. if the person is suspended, for the term of the suspension; or
 - 18.1.4. if the person is expelled, or
 - 18.1.5. if their membership lapses.
- 18.2. The person is liable for all outstanding amounts owed to the League at the date of ceasing to be a member.
- 18.3. Where a written resignation has been received by the Sub-Branch, the Secretary must inform the State Branch Membership Officer within ten days.
- 18.4. Only upon final determination by the State Board may an expelled member be readmitted to the League.
- 18.5. Procedures for expelling or readmitting members are outlined in State Branch By-Law Five.

BY-LAW NO 4

STANDING ORDERS FOR THE CONDUCT OF MEETINGS

1. The proceedings of any Annual General Meeting, General Meeting, Special General Meeting or Committee Meeting shall, unless otherwise resolved at such meeting, shall be considered
 - (a) Reading minutes of previous meeting;
 - (b) Confirmation and discussion of matters arising out of such minutes;
 - (c) Reading and discussion of correspondence;
 - (d) Finance;
 - (e) Discussion of business of which notice has been given;
 - (f) Business left over from previous meetings;
 - (g) Reports of Committees;
 - (h) Notices of motion;
 - (i) General business.
2. The attendances of Sub-Branch Officers, shall be recorded in the Minutes of the meeting and, where practicable, the attendance of members shall also be recorded.
3. Subject to the limitations hereinafter contained in Standing Orders 8, 23, 24 and unless otherwise resolved on motion put without debate, every member present may be entitled to speak once on:
 - (a) Any motion before a meeting;
 - (b) Any amendment thereon;
 - (c) In reply, if he/she is entitled to reply, but not otherwise.
4. Any member, when he/she seconds a motion or amendment without speaking to it, shall be entitled to speak on the subject of such motion or amendment at any subsequent period of the debate.
5. Any member desiring to speak shall rise in his/her place and address the Chairman. If two or more members rise at the same time, the Chairman shall call upon the member who, in his/her opinion, first rose to speak.
6. By the indulgence of any meeting a member may explain matters of a personal nature, although there be no motion before the meeting, but such matters may not be debated.
7. Any member who has spoken to a motion may again be heard to explain himself/herself in regard to some material part of his/her speech which has been misquoted or misunderstood. He/she shall not introduce any new matter or interrupt any member in possession of the Chair and no debate shall be heard upon such explanation.
8. Any member who has spoken to a motion cannot speak to any amendment thereon until such amendment has become the main motion.
9. In dealing with correspondence and reports, every letter and report, after having been read, may be taken as formally received, unless a motion to the contrary be put

without debate and carried and every letter or report may be dealt with immediately after the contents have been made known to a meeting.

10. Any member may at any meeting give notice of motion for a future meeting by stating its terms to the meeting and delivering to the Chairman a copy of such notice clearly written and signed by himself/herself and showing the day proposed for bringing on such notice.
11. If a notice of motion is given which contains matters not relevant to each other, the Chairman may instruct the Secretary to divide such notice into two or more notices.
12. Unless otherwise resolved, all notices of motion shall take precedence in the order in which they stand in the minute book and shall lapse if the member or some other member on his/her behalf be not present when the order of business for such notice is read.
13. When a motion has been moved and seconded, it shall then be proposed to the meeting by the Chairman.
14. A motion not seconded shall not be further debated and no entry thereof shall be made in the minutes.
15. All motions shall, if the Chairman so decide, be submitted by the proposer thereof in writing and:
 - (a) shall be duly proposed and seconded;
 - (b) shall be of an affirmative character;
 - (c) shall be the property of the meeting;
 - (d) shall be withdrawn only by leave of the meeting;
 - (e) may be adjourned from time to time;
 - (f) may be altered or amended until a decision is arrived at.
16. A motion having been proposed may be amended:
 - (a) by leaving out certain words;
 - (b) by inserting or adding certain words;
 - (c) by leaving out certain words in order to insert or add other words.
17. Every amendment to every motion before a meeting must:
 - (a) if the Chairman so decides, be in writing and signed by the proposer;
 - (b) be relevant to the motion to which it is proposed to be made;
 - (c) be withdrawn only by leave of the meeting.
18. Only one amendment shall be entertained at any time. If an amendment be carried it shall become the main motion. It shall be competent, whether an amendment be carried or not, to receive other amendments to be disposed of in a like manner until a motion has been finally dealt with.
19. An amendment proposed but not seconded shall not be entertained nor entered on the minutes.

20. A motion may be superseded at any time by:
- (a) another motion that it be discharged from the notice paper;
 - (b) a motion for an adjournment of the motion under consideration;
 - (c) a motion for the adjournment of the meeting;
 - (d) a motion “The motion be now put”
 - (e) a motion “That the next business be proceeded with”.

No person who has spoken on the main motion will be permitted to so move.

21. A motion for the adjournment of any meeting may be proposed at any stage of the meeting, or for the adjournment of any motion before any meeting. It shall only be competent to propose an amendment to any motion for adjournment for the purpose of altering the time proposed therein. Every motion for an adjournment, or any amendment thereon, shall be proposed and seconded without argument or opinion offered and shall be forthwith put to the meeting by the Chairman.
22. When a motion for the adjournment of any meeting has been carried, the business then undisposed of shall have precedence at the next meeting.
23. When a motion has been duly proposed and seconded the Chairman shall at once proceed to take the votes thereon, unless some member rises to oppose it, or to propose an amendment. No more than two speakers shall speak in succession either for or against any motion before a meeting and if at the conclusion of the second speaker’s remarks and upon a call from the Chairman, no other member rises to speak on the opposite side, the motion or amendment shall at once be put to the vote.
24. The mover of an original motion shall be allowed five minutes to introduce it and two minutes to reply. No other speaker shall be allowed to speak more than five minutes at any one time.
25. Any member speaking shall at once resume his/her seat:
- (a) if the Chairman rises to speak;
 - (b) if a point of order is raised.

and shall not resume his/her speech until the point of order is decided.

26. The Chairman shall put all motions before any meeting in a distinct and audible voice. A motion being put shall be resolved in the affirmative, or negative, “Aye” or “No”. The Chairman shall state whether, in his/her opinion, the “Ayes” or the “Noes” have it; any member may then demand that a “show of hands” or a division be now taken.
27. No member shall speak to any motion after it has been put by the Chairman, nor during a division, except to a “point of order”.
28. Every member present during a “division” must vote, or his/her vote will be counted with the side on which he/she is sitting.

29. No member of the Committee shall be allowed to obtain discussion upon any subject at any meeting through the medium of correspondence, but may introduce the matter from his/her place in the meeting.
30. If any member:
- (a) persistently and wilfully obstructs the business of any meeting;
 - (b) is guilty of disorderly conduct;
 - (c) uses objectionable words and refuses to withdraw such words;
 - (d) persistently and wilfully refuses to conform to these standing orders or any one or more of them;
 - (e) persistently and wilfully disregards the authority of the Chairman,
- the Chairman may report to the meeting that such member has committed an offence.
31. When any member has committed an offence he/she shall be called upon to stand up in his/her place and make any explanation or apology he/she may think fit and afterwards a motion may be moved 'That the member be suspended for the sitting of the meeting'. No amendments, adjournments or debate shall be allowed on such motion, which shall be immediately put by the Chairman.
32. If any member be suspended, his/her suspension on the first occasion shall be for the remainder of that sitting; on the second occasion, for the sittings of two consecutive meetings and on the third occasion may, in the case of a member of the Committee, have his/her seat thereon declared vacant.
33. If any objection is taken to the ruling or decision of the Chairman, such objection must be taken at once and motion made to the effect "That the Chairman's ruling or decision be disagreed with". If seconded, such motion shall supersede the motion then before the meeting and the Chairman shall forthwith leave the Chair. The Deputy Chairman shall then take the Chair, or if he/she is not present, another member of the Committee, nominated by the Committee members, shall assume the Chair. Debate in conformity with the standing orders may then ensue until the motion is either resolved in the affirmative or negative. The Chairman shall then resume the Chair and the superseded motion shall if not disposed of by the motion to disagree with the Chairman's ruling or decision, be forthwith proceeded with.
34. The Chairman at all meetings shall not have a deliberative vote but shall have a casting vote only. When exercising such casting vote, it is customary that the status quo be maintained.
35. No resolution shall be again debated or rescinded unless a motion has been carried subsequent to the passing of the resolution which it is proposed to debate or rescind, ordering that a Special General Meeting be called for that purpose and unless an absolute majority of those present and voting at the Special General Meeting so resolve.
36. It shall be competent by a vote of the members present at a meeting to suspend the standing orders, provided the effects of such suspension shall not be the rescinding of any resolution previously adopted and provided, further, that the suspension of the Standing Orders shall be limited in its operation to the particular purpose for which the suspension has been sought.

37. No motion passed at any meeting shall be rescinded at the same meeting without due notice of motion to rescind being given.
38. Notice of motion to rescind a resolution is only required in cases where the resolution was passed within the previous twelve months.
39. **All voting at any meeting shall be by personal attendance and not by proxy.**

BY-LAW NO. 5

REGIONS

1. The State Branch may establish and vary Regions in relation to the operation of the Sub-Branches.
2. Each Sub-Branch shall be allocated to a Region. The State Branch may vary the Region to which a Sub-Branch is allocated from time to time.
3. The State Branch shall notify the Sub-Branches within seven (7) days following any change to Regions.
4. Each Region shall be represented by one or more Regional Coordinators elected by the Sub-Branches within that Region. The State Branch may, acting reasonably, veto the election of a particular person as Regional Coordinator. The State Branch shall provide written notification on exercising such power of veto, including reasons therefore to the person(s) concerned.
5. The role of the Regional Coordinators shall be to liaise between the State Branch and Sub-Branches within the Region. Regional Coordinator's will organise and conduct at least two (2) regionally based meetings per calendar year for that purpose in consultation with the State Branch. The State Branch may be represented at such meeting by a duly authorised representative.

REGIONS

REGION A (Metropolitan)

A1 Adelaide

Adelaide
Norwood
Royal Australian Regiment
SA Peacekeepers
Police
Miscellaneous/Unattached List
Unley

A2 Western Metro

Henley & Grange
Hilton
Largs Bay
Seaton Park
Semaphore & Port Adelaide
West Croydon & Kilkenny

A3 Eastern Metro

Gilles Plains & Hampstead
Glyde
Kensington Park
Magill
Payneham
Walkerville

A4 Northern Metro

Elizabeth
Enfield
Kilburn
Northfield
Prospect
Salisbury
Tea Tree Gully

A5 Southern Metro

Blackwood
Brighton
Colonel Light Gardens
Marion
Mitcham
Morphett Vale
Plympton Glenelg
Port Noarlunga/Christies Beach

REGION B (Country)

B1 Barossa

Eudunda
Freeling
Gawler
Kapunda
Mallala
Nuriootpa
Robertstown
Tanunda
Two Wells

B2 Onkaparinga/Barker

Aldgate
Echunga
Gumeracha
Lobethal
Macclesfield
Mount Barker
Mount Pleasant
Nairne
Stirling
Strathalbyn

REGION C (Country)**C1 Alexandra**

Goolwa
Kangaroo Island
McLaren Vale
Port Elliot
Victor Harbor
Willunga

C2 Murray

Mannum
Meningie
Murray Bridge
Mypolonga
Tailem Bend

REGION D (Country)**D1 Daly**

Bute
Balaklava
Crystal Brook
Kadina
Moonta
Port Broughton
Port Pirie
Port Wakefield
Snowtown
Wallaroo

D2 Yorke Peninsula

Ardrossan
Edithburgh
Port Victoria
Port Vincent
Stansbury
Yorke town

REGION E (Country)**E1 West Eyre Peninsula**

Ceduna
Minnipa
Streaky Bay
Wudinna

E2 South Eyre Peninsula

Cowell
Cummins-Yeelanna
Kimba
Port Lincoln
Tumby Bay

E3 Central Districts

Coober Pedy
Port Augusta
Roxby Downs
Whyalla
Woomera

REGION F (Country)**F1 Chaffey**

Barmera
Berri
Blanchetown
Lameroo
Loxton
Morgan
Pinnaroo
Renmark
Swan Reach
Waikerie

F2 South East

Coonawarra-Penola
Millicent
Mount Gambier
Port MacDonnell
Robe

F3 Victoria

Bordertown
Keith
Kingston
Lucindale
Naracoorte

REGION G (Country)**G1 Stanley**

Auburn, Clare & Districts
Brinkworth, Koolunga & Yacka
Burra
Riverton

G2 Northern Areas

Jamestown
Laura
Peterborough

REGION H (Country)**H1 Far Northern**

Darwin
Gove Peninsula
Katherine
Palmerston

H2 Central

Alice Springs
Tennant Creek

H3 Barrier

Broken Hill

BY-LAW NO 7

STATE BRANCH TRIBUNAL AND NATIONAL TRIBUNAL (Rules 23 and 24 refers)

Prior to any disciplinary action being taken, the following Dispute Resolution process is to be followed:-

1. Dispute Resolution

1.1 A Sub-Branch Dispute is a dispute between:

- (a) a member and another member of the same Sub-Branch; or
- (b) a member or members of a Sub-Branch Committee and another member of the Sub-Branch; or
- (c) a member or members of the Sub-Branch and the Sub-Branch Committee; or
- (d) a member or members of the Sub-Branch and the Sub-Branch.

1.2 A Disciplinary Hearing is a hearing by:

- (a) a Sub-Branch Committee of disciplinary charges under Sub-Branch Rule 13 or State Branch Constitution Rule 21.4;
- (b) the State Tribunal of a disciplinary matter referred to it by a Sub-Branch Committee under Sub-Branch Rule 13;
- (c) the State Tribunal of a disciplinary matter referred to it by the State Board under State Branch Constitution Rule 22.1 (b); and
- (d) the State Tribunal of an appeal under Sub-Branch Rule 13, State Branch Constitution Rule 21.7 or State Branch Constitution Rule 22.1.

1.3 Within 14 days of a Sub-Branch Dispute coming to the attention of the Sub-Branch Committee, the parties involved are to be instructed, by letter from the Sub-Branch Committee, to meet within seven (7) days, discuss the matter and, if possible, resolve the Sub-Branch Dispute.

1.4 If the parties are unable to resolve a Sub-Branch Dispute at the meeting, or if either party fails to attend that meeting, the Sub-Branch Committee will initiate mediation.

1.5 If a Sub-Branch or its Committee is a party to a Sub-Branch Dispute or a Disciplinary Hearing, it must appoint a Sub-Branch Representative who is a member of the Sub-Branch and has authority on behalf of the Sub-Branch to participate in the mediation and reach a binding settlement on behalf of the Sub-Branch.

1.6 If a Sub-Branch Committee has reason to believe that a member may be guilty of conduct unbecoming a member it shall, before considering whether or not the member has been guilty of such conduct under Sub-Branch Rule 13, first give written notice to the Chief Executive Officer. The notice will:

- (a) give details of the alleged conduct; and
 - (b) include the name and contact details of the member; and
 - (c) include the name and contact details of the Sub-Branch Representative.
- 1.7 The Chief Executive Officer will initiate mediation before a Disciplinary Hearing takes place.
- 1.8 The Disciplinary Hearing will be stayed until the mediation has been concluded.
- 1.9 Mediation may not be initiated or, if already initiated, may be terminated if the Chief Executive Officer or the State Board is of the opinion that:
- (a) mediation does not have a reasonable likelihood of success;
 - (b) the alleged conduct is serious and the reputation of the RSL will be damaged unless a Disciplinary Hearing proceeds expeditiously; or
 - (c) the mediation has not been concluded within a reasonable time.
- 1.10 The person initiating mediation will, within seven (7) days:
- (a) appoint a mediator; and
 - (b) inform the parties of the name and contact details of the mediator.
- 1.11 The parties must contact the mediator with seven (7) days to organise the mediation. The mediation may take place in person, via telephone or by other electronic means.
- 1.12 The mediator will be:
- (a) a person chosen by agreement between the parties in consultation with the person initiating the mediation; or
 - (b) In the absence of such agreement, a person appointed by the Chief Executive Officer.
- 1.13 A mediator can be replaced by the person initiating the mediation if the mediator is unavailable, unwilling, fails to act or resigns. The replacement is to be selected in accordance with paragraph 1.12.
- 1.14 A mediator cannot be:
- (a) a party to the dispute; or
 - (b) If the dispute is between a member and one or more members of the Sub-Branch Committee, a person who is a member of the Sub-Branch Committee.
- 1.15 A mediator may be a member of the Sub-Branch.

- 1.16 The parties must comply with the mediator's reasonable directions in relation to the conduct of the mediation. If required by the mediator or the Chief Executive Officer, the parties will enter into a mediation agreement.
- 1.17 The parties must, in good faith, attempt to settle the dispute by mediation.
- 1.18 Proceedings before the mediator are confidential and must not be disclosed by the mediator or the parties to any other person except as required by law.
- 1.19 The mediator is required to:
- (a) give the parties to the mediation process every opportunity to be heard;
 - (b) give due consideration to any written statement submitted by either party; and
 - (c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- 1.20 The mediator may not determine the outcome of the dispute.
- 1.21 The mediator must inform the person initiating the mediation:
- (a) if a party fails to:
 - (i) Contact the mediator as required by paragraph 1.11;
 - (ii) Comply with a direction given by the mediator in accordance with paragraph 1.16; or
 - (iii) Make a good faith attempt to settle the dispute as required by paragraph 1.17.
 - (b) if the dispute is resolved; and
 - (c) if the dispute cannot be resolved.
- 1.22 If the mediation does not result in the resolution of the dispute, the mediator will notify the Chief Executive Officer who may:
- (a) request the parties to submit to further mediation by a mediator appointed by the Chief Executive Officer; or
 - (b) refer the matter to the State Board; and/or
 - (c) refer the matter to the State Tribunal.
- 1.23 Following a successful resolution of the dispute through mediation, each party shall sign an agreement to be bound by the result of mediation.
- 1.24 At the conclusion of the mediation, each party is to be provided with a written notice, in a form approved by the Chief Executive Officer, informing them that:

- (a) they are to conduct themselves in ‘a manner becoming a member of the League’; and
- (b) failure to comply with any agreement reached during the mediation may be conduct unbecoming a member contrary to Sub-Branch Rule 13 and State Branch Constitution Rule 22.1 and may result in disciplinary proceedings; and
- (c) if the dispute has not been resolved by the mediation the dispute may:
 - (i) be referred to the State Board and/or State Tribunal; and
 - (ii) be disposed of in accordance with the provisions of State Branch Constitution Rule 23.

1.25 Failure by a party to:

- (a) meet with each other to resolve the dispute as required by paragraph 1.3;
- (b) contact the mediator as required by paragraph 1.11;
- (c) comply with a direction given by the mediator in accordance with paragraph 1.16;
- (d) execute a mediation agreement in accordance with paragraph 1.16;
- (e) make a good faith attempt to settle the dispute as required by paragraph 1.17;
- (f) keep the mediation confidential as required by paragraph 1.18; or
- (g) comply with any agreement resolving the dispute,

will be conduct unbecoming a member contrary to Sub-Branch Rule 13 and State Branch Constitution Rule 23.1.

1.26 No member may initiate or continue with any legal proceedings in relation to a Sub-Branch dispute or a Disciplinary Hearing against:

- (a) the State Branch;
- (b) a Sub-Branch; or
- (c) a member of the League,

until mediation has been concluded.

1.27 Paragraph 1.26 does not apply to an application for urgent interlocutory relief other than relief based on an allegation of a lack of natural justice or other irregularity in any hearing or procedure by the State Branch, the Sub-Branch or any of their officers.

1.28 If a member alleges any lack of natural justice, procedural irregularity or unfairness in relation to a Disciplinary Hearing, the member shall not institute or continue with any

legal proceedings in relation to the same unless the member has first brought the allegation to the attention of:

- (a) in the case of a hearing by a Sub-Branch Committee, the Sub-Branch Committee and the Chief Executive Officer; or
- (b) in all other cases: the State Tribunal.

2. Guidelines for the conduct of a State Branch Tribunal Hearing

- 2.1 A notice referred to in Rule 23.2 shall inform the member that he/she has a personal right of audience only at the said meeting and that he/she may not be represented thereat by any person. Such notice shall also inform the member of the provisions of paragraphs 2.2 and 2.3.
- 2.2 If a member exercises the right conferred upon him/her by paragraph 2.1 he/she shall be granted an audience by the State Branch Tribunal concerned and given every opportunity to put such relevant facts and material before the State Branch Tribunal as he/she desires.
- 2.3 If a member does not desire to exercise the right conferred upon him/her by paragraph 2.1, he/she may nevertheless forward to the State Branch Tribunal such written relevant material as he/she desires and the State Branch Tribunal shall take that material into account when considering the proposed resolution.
- 2.4 The resolution of a State Branch Tribunal imposing a penalty upon the member shall not be of any force or effect unless it was passed by a majority of the members of the State Branch Tribunal present at the meeting and the vote shall be recorded in the minutes of the meeting.
- 2.5 At the commencement of the meeting referred to in Rule 23.2, and before proceeding to consider whether or not they will form an opinion pursuant to Rule 23.1, the members of State Branch Tribunal present at that meeting shall consider whether or not the provisions of Rule 23.2 and paragraphs 2.1 to 2.3 inclusive have been complied with, and if it appears that there has been non-compliance with any of those provisions, the meeting shall not proceed further at that time unless the members are satisfied that no prejudice would be caused to the member before them by so proceeding. Such consideration and the decision thereon shall be included in the minutes of the meeting.
- 2.6 A State Branch Tribunal which has formed an opinion pursuant to Rule 23.2 shall, before imposing any penalty, afford the member the opportunity of submitting to it any mitigating circumstances which shall be taken into account.

3. Procedures for the conduct of a National Tribunal Hearing

- 3.1 The National Tribunal shall elect its Chairman. The quorum for a meeting of the National Tribunal shall be three members, one of whom should be the Chairman. If the Chairman is not available for a particular meeting, the members shall elect a Chairman for that meeting.
- 3.2 If there is a casual vacancy amongst the members of the National Tribunal, the National Executive may appoint another qualified person to fill the vacancy. Any person so

appointed shall hold office only until the person in whose stead he/she was appointed would have vacated office and shall then be eligible for re-appointment.

- 3.3 Each member shall have one vote at a meeting thereof but in the event of there being an equality of votes the Chairman of that meeting shall have an additional vote which may be cast by him/her as he/she sees fit.
- 3.4 If an appeal pursuant to this By-Law is from the decision of a State Branch Tribunal, the appeal shall be addressed to the National Secretary and lodged with the State concerned together with the sum of \$400.00, within 28 days after the date upon which the resolution of the said Branch Tribunal was notified in writing to the person lodging the appeal, otherwise it shall not be treated as valid.
- 3.5 An appeal lodged pursuant to this By-Law shall be accompanied by a statement in writing by the person lodging the appeal setting out the aspect or aspects of the decision which gave rise to the appeal and the facts upon which it relies. An appeal shall not be treated as valid unless it complies with this By-Law.
- 3.6 Upon receipt of an appeal, the State Branch shall forthwith forward to the National Secretary:
 - (a) the appeal statement including the aspect as part of the State Branch Tribunal Resolution which gave rise to the appeal, the grounds of the appeal and the facts upon which it relies;
 - (b) the sum of \$400.00 referred to in paragraph 3.4;
 - (c) all its papers and documents concerning the member; and
 - (d) a copy of its minutes relating to the matter giving rise to the appeal.
- 3.7 Subject to paragraph 3.11, upon an appeal, together with the sum of \$400. 00 being lodged with a State Branch in accordance with paragraph 3.4, the decisions of the State Branch Tribunal which are appealed shall be stayed unless otherwise ordered.
- 3.8 If an appeal pursuant to this By-law is from the decision of a person appointed under Rule 24, the appeal shall be lodged with the National Secretary together with a sum of \$400.00 within 28 days after the date upon which the decision was notified in writing to the member, otherwise it shall not be treated as valid.
- 3.9 Subject to paragraph 3.11, upon an appeal referred to in paragraph 3.8 together with the sum of \$400.00 being lodged with the National Secretary, the decision of the person appointed under Rule 24 shall be stayed until the appeal is concluded, abandoned or discontinued.
- 3.10 The National Secretary shall forthwith advise the person appointed under Rule 24 of the receipt of an appeal from his/her decision. Such person shall thereupon forward to the National Secretary:
 - (a) all his/her papers and documents concerning the member; and

- (b) his/her minutes relating to the matter together with the reasons for his/her decision giving rise to the appeal.
- 3.11 Upon an appeal to the National Tribunal being properly instituted in accordance with the Rules and this By-Law against a decision involving disqualification from office, suspension or expulsion of a member, that member shall temporarily relinquish any position held as an office bearer of a Sub-Branch, Regional Coordinator or State Board of the State Branch, until such appeal is concluded, dismissed or discontinued.
- 3.12 The National Tribunal shall:
 - (a) hear and determine an appeal pursuant to the National Tribunal as soon as possible after the receipt by the National Secretary of the documents specified in paragraph 3.5; and
 - (b) give to the member concerned not less than 28 days notice in writing of the date, time and place of its meeting at which his/her appeal will be heard.
- 3.13 The parties to an appeal before the National Tribunal shall each pay their own costs of and incident to the appeal, save and except that the National Tribunal may make such order as it sees fit as to whether or not the personal out-of-pocket expenses incurred by the member in attending on the hearing of his/her appeal should be paid to him/her and by whom. For the purposes of this paragraph the out-of-pocket expenses incurred by the member shall not include the costs of his/her being represented before the National Tribunal.
- 3.14 The National Tribunal may also make such order as it sees fit as to the manner in which the sum of \$400.00 shall be treated.
- 3.15 As soon as practical after reaching its decision on an appeal, the National Tribunal shall advise the National President of that decision and subsequently, the National President shall cause the relevant State Branch and the appellant to be notified.
- 3.16 The National Executive, respective State Branch and Sub-Branch must enforce a decision of the National Tribunal and a member must comply with such decision.
- 3.17 The National Executive, the respective State Branch or Sub-Branch must give due consideration to any recommendations of the National Tribunal.



BY-LAW NUMBER SEVEN (07)

**COMMEMORATION &
PROTOCOLS OF
THE RETURNED & SERVICES LEAGUE OF
AUSTRALIA (SA BRANCH) INCORPORATED**

Motto: The Price of Liberty is Eternal Vigilance

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COMMEMORATION AND PROTOCOLS

1. Introduction

- 1.1. This By-Law outlines the protocol requirements expected when conducting commemorative events and activities. This should be read in conjunction with the information provided on the [RSL Australia website](#).

2. RSL Commemorative Ceremonies

- 2.1. Wherever possible, RSL Commemorative ceremonies shall follow a standard order of service.
- 2.2. The sequence of proceedings shall be as follows:
 - 2.2.1. The Ode shall be recited or spoken by the designated person as:
 - 2.2.1.1. *“They shall grow not old (short pause). As we that are left grow old (longer pause), Age shall not weary them (short pause) Nor the years condemn (longer pause) At the going down of the sun (short pause) And in the morning (longer pause) We will remember them (short pause).”*
 - 2.2.2. The gathering repeats *“We will remember them”*.
 - 2.2.3. The Last Post shall be played.
 - 2.2.4. A period of at least one minute’s silence shall then be observed.
 - 2.2.5. Rouse or Reveille shall then be played.
 - 2.2.6. The designated person shall say *“Lest We Forget”* and this is repeated by the gathering.
 - 2.2.7. This ends the formal proceedings and the words ‘thank you’ shall not be spoken to end the ceremony.
- 2.3. The bugle call ‘Rouse’ is more commonly used in conjunction with the Last Post. ‘Reveille’ while also associated with the Last Post, is only used at ANZAC Day Dawn services.

3. State Order of Precedence

- 3.1. The South Australian Order of Precedence is a guide for determining the ceremonial status of arrangements to define the correct order in which introductions and/or acknowledgements and seating arrangements are to be made. A copy of the State Order of Precedence can be found [here](#).
- 3.2. The State Order of Precedence shall be used for all commemorative and ceremonial activities and events.

4. RSL Medal Protocol

- 4.1. There is an established order of precedence for the wearing of Australian service medals, awards or decorations. This [order of precedence](#) is notified by the Governor-General.
- 4.2. Many awards carry an entitlement for recipients to use indicative letters after their name called post-nominals. If the member is entitled to post-nominals

for more than one award, the sequence of letters is indicated by the [Order of Wearing for Australian Honours and Awards](#).

- 4.3. Based on official protocol and practice, RSL protocols for the wearing of medals are published on the [RSL Australia website](#).

5. RSL Funeral Protocol

- 5.1. RSL Policy directs that the Australian National Flag shall be used at all RSL funerals except in those circumstances where the deceased member was a veteran of an allied nation and the next of kin expressly request the national flag of that nation.
- 5.2. The protocol for conducting an RSL Funeral Service including Burial Rituals are outlined in the [protocol guide](#).

6. Speeches and Toasts

- 6.1. The League protocols for speeches and toasts are published on the [RSL Australia website](#).

7. Acknowledgement of Country

- 7.1. An Acknowledgement of Country shall be delivered at significant/large State Branch and Sub-Branch meetings or events. This is usually delivered as part of the Welcome at meetings or events.

- 7.2. There are three types of Acknowledgement of Country:

7.2.1. Generic - this should be used if the name of the people on whose land the activity is conducted is unknown or there are multiple Aboriginal peoples identifying as the Traditional Custodians for that area. The words are:

7.2.1.1. 'I begin today by acknowledging the Traditional Custodians of the land on which we <gather/meet> today, and pay my respects to their Elders past, present and emerging. I extend that respect to Aboriginal and Torres Strait Islander peoples here today, particularly those who have served our nation.'

7.2.2. Specific - this should be used where there are no disputes and the name of the Traditional Custodians are known. The words are:

7.2.2.1. 'I begin today by acknowledging the <insert name of people here>, Traditional Custodians of the land on which we <gather/meet> today, and pay my respects to their Elders past, present and emerging. I extend that respect to Aboriginal and Torres Strait Islander peoples here today, particularly those who have served our nation.'

7.2.3. General - this shall be used on electronic or printed material. The words are:

7.2.3.1. 'The RSL acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past, present and emerging and in particular to those who have served our nation.'

- 7.3. The RSL guidelines for the use of the Australian National Flag are provided on the [RSL Australia website](#).
- 7.4. The Australian National Flag takes precedence over all other flags when flown in the company of other flags. The order of precedence of flags and the protocol for the appropriate use shall be in accordance with that detailed [here](#).

8. Flag Protocol

- 8.1. The RSL guidelines for the use of the Australian National Flag are provided on the [RSL Australia website](#).
- 8.2. The Australian National Flag takes precedence over all other flags when flown in the company of other flags. The order of precedence of flags and the protocol for the appropriate use shall be in accordance with that detailed [here](#).

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STATE BY-LAW 8

MODEL RULES FOR SUB-BRANCHES OF THE RETURNED & SERVICES LEAGUE OF AUSTRALIA (S.A. BRANCH) INC.

**As adopted by the Annual Sub-Branch Conference
2 July 2011**

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RULES FOR SUB-BRANCHES

OF

THE RETURNED & SERVICES LEAGUE OF AUSTRALIA (S.A. BRANCH) INC.

1. Name and Motto

- 1.1 The name of the Sub-Branch is 'The Returned & Services League (.....) Sub-Branch', hereinafter referred to as the 'Sub-Branch' and its motto shall be 'The Price of Liberty is Eternal Vigilance'.
- 1.2 The Sub-Branch is a Sub-Branch of The Returned & Services League of Australia (S.A. Branch) Incorporated.
- 1.3 The aims of the Sub-Branch are to uphold loyalty to the Nation and its Sovereign and to uphold the Westminster system of Government and the Constitution of the Nation.
- 1.4 So far as is permitted by law and unless it is incapable of application, the short title of the Sub-Branch shall be 'RSLSub-Branch'.

2. Registered Office

- 2.1 The Registered Address of the Sub-Branch shall be
----- or such other place as may be
determined from time to time by the Sub-Branch.

3. Interpretation

These Rules shall be construed with reference to the 'Associations Incorporation Act 1985', as amended from time to time.

- 3.2 Terms used herein shall be taken as having the same meanings as they have when used in that Act unless the contrary intention appears and in these Rules :
 - (a) Affiliate means a person who has been admitted as an Affiliate of a Sub-Branch pursuant to Rule 9.
 - (b) By-Laws means the By-Laws of the State Branch of the League or of the Sub-Branch.
 - (c) Eligible Institution means a fund, authority or institution :
 - listed in Section 30 of the Tax Act as a fund, authority or institution to which tax-deductible gifts may be made; or
 - (ii) in a class of funds, authorities or institutions listed in Section 30 of the Tax Act as a class of funds, authorities or institutions to which tax-deductible gifts may be made.

- (d) Chief Executive Officer means the person formerly referred to as the Executive Director or State Secretary of the State Branch of South Australia, appointed pursuant to Rule 38 of the State Branch Constitution.
- (e) Honorary Life Member means a person who has been admitted to that class of membership pursuant to Rule 9.
- (f) Honorary Member means a person who has been admitted to that class of membership pursuant to Rule 9.
- (g) League means the Returned & Services League of Australia Limited.
- (h) Life Member means a Service Member who has been elected to that class of membership pursuant to Rule 9.
- (i) Life Subscriber means a Service Member who has made a subscription for life in accordance with the Rules prevailing at the time such subscription was made.
- (j) Member means a person who has been admitted to any one of the classes of members described in Rule 8.
- (k) Member of the Australian Defence Force means a person who is or was a member of the Royal Australian Navy, Australian Army or Royal Australian Air Force and includes a person who is or was a member of the Permanent Forces, Citizen Forces, Reserve Forces, Emergency Forces or Emergency Reserve Forces or a member of a military force raised in time of war or for a specified period.
- (l) National Congress means a general meeting of the League.
- (m) National Executive means the Board of Directors of the League constituted by Rule 36 of the National Constitution and comprising those persons set forth in that Rule.
- (n) Officer includes the elected officers and the committees or other body howsoever that body may be described, charged with the duty of administering the affairs of the Sub-Branch.
- (o) Service Member means a person who has been admitted to that class of membership pursuant to Rule 9.
- (p) Person means a natural person.
- (q) Social Member means a person who has been admitted as a social member of a Sub-Branch pursuant to Rule 10.
- (r) State Board means the body constituted by Rule 39 of the State Branch Constitution.
- (s) State Branch means The Returned & Services League of Australia (S.A. Branch) Incorporated.

- (t) Regional Co-ordinator means the body constituted by Rule 8 of the State Branch Constitution, to represent the Sub-Branches in determining policy of the State Branch.
- (u) State Standing Policy means the policy of the RSL determined by the State Branch Annual Sub-Branch Conference from time to time pursuant to Rule 26.
- (v) State Branch Tribunal means the Tribunal established by the State Board pursuant to Rule 22 of the State Branch Constitution.
- (w) Sub-Branch means a Sub-Branch of the League established either by the National Executive or the State Branch within its jurisdiction.
- (x) Tax Act means the Income Tax Assessment Act 1936 and the Income Tax Assessment Act 1997, as applicable.
- (y) The Act means the 'Associations Incorporation Act 1985', as amended from time to time.
- (z) The Commonwealth means the Commonwealth of Australia.
- (aa) The Law means The Corporations Law.
- (bb) The Nation means the Commonwealth of Australia.
- (cc) Women's Auxiliaries means an Auxiliary authorised within a Sub-Branch consisting of the spouse/partner, widow or close female relative of a member, or of a person eligible for membership of the Sub-Branch.
- (dd) Words importing the masculine gender include the feminine gender and words importing the feminine gender include the masculine gender, and
- (ee) Words in the singular include the plural and words in the plural include the singular.

4. Objects

- 4.1 The League is established for the principal purpose of promoting the interests and welfare of former and serving members of the Australian Defence Force and their dependants and for this purpose the Sub-Branch has the following objects :
- (a) To assist and care for the sick, elderly and needy by providing, or assisting to provide, pensions, benefits, accommodation, medical treatment, rehabilitation and other forms of welfare.
 - (b) To establish and accept trusts having for their object the welfare and benefit of any member of the League or the Sub-Branch, or of any member, or ex-member, of the Australian Defence Force, or their dependants.
 - (c) In furtherance of any of the objects of the League, to make grants to and give assistance to such persons, trusts, groups, associations, societies, institutions or

other organisations and authorities and to establish such scholarships as the Sub-Branch may, from time to time determine.

- (d) To perpetuate the close and kindly ties of friendship created by mutual service in the Australian Defence Force or in the forces of nations traditionally allied with Australia and the recollections associated with that experience, to maintain a proper standard of dignity and honour among all past and present members of the Australian Defence Force, and to set an example of public spirit and noble hearted endeavour.
- (e) To ensure the preservation of the memory and the records of those who suffered and died for the Nation; to ensure the erection of memorials to their valour and that they have suitable burial places; to establish and preserve in their honour, ANZAC Day, Remembrance Day and other commemorative occasions.
- (f) To promote the defence of the Nation and guard the good name and preserve the interests and standing of members of the Australian Defence Force.
- (g) To encourage members of the League and citizens to serve the Nation with a spirit of self sacrifice and loyalty.
- (h) To maintain a national association, non-sectarian and in relation to party politics, non-partisan.
- (i) To enunciate, from time to time, policy on national questions and to encourage members of the Sub-Branch to abide by, support and actively carry out, such policy so far as is permitted by law.
- (j) To establish, maintain, furnish and equip premises, information bureaux, libraries, literary, social, educational and benevolent institutions for the benefit and advancement of members of the League, or the Sub-Branch and to print, circulate and publish such papers, books, magazines and circulars, carry on such other literary and journalistic undertakings, and publish material that may be conducive to the objects of the League.
- (k) To subscribe or donate, to become a member of and co-operate with any other body of persons corporate or unincorporate whose objects are similar to those of the League and which prohibits the distribution of its or their income and property, amongst its or their members, to an extent at least as great as is imposed on the League under or by virtue of Rule 6.
- (l) To establish Women's Auxiliaries and other auxiliaries of the League within the Sub-Branch.
- (m) To accept subscriptions and donations whether of real or personal estate and devises and bequests for all or any of the purposes aforesaid and so far as permitted by law to dispose of or to lease and accept surrenders of leases of and manage all real estate (including leaseholds) so received and not required or capable of being occupied for the purposes of the State Branch or the Sub-Branch. The Sub-Branch shall take or hold any property which may be subject

to any Trust and shall only deal with the same in such manner as allowed by law, having regard to such Trust.

- (n) To invest and deal with any of the moneys or other assets of the Sub-Branch not immediately required upon such securities and in such manner as the Sub-Branch may determine.
- (o) To invest and deal in real estate and to hold property for the purposes of furthering all or any of the objects of the League.
- (p) To borrow or raise money in such manner as the Sub-Branch may think fit, for any of its objects and in particular by mortgage, or other securities, upon all or any of the property of the Sub-Branch, present or future.
- (q) To do all such other lawful things as are conducive or incidental to the attainment of any of the above objects, and
- (r) To make, amend and repeal Sub-Branch By-Laws pursuant to the Rules.

5. Powers of the Sub-Branch

5.1 Solely for furthering the objects of the League and subject to Sub-Rule 9.7 of the State Branch Constitution, the Sub-Branch has the legal capacity and powers set out in the Act as follows:

- (a) Acquire, hold, deal with and dispose of, any real or personal property.
- (b) Administer any property on trust.
- (c) Open and operate bank accounts.
- (d) Invest its moneys -
 - (i) in any security in which trust moneys may, by Act of Parliament, be invested; or
 - (ii) in any other manner authorised by these Rules;
- (e) Borrow money upon such terms and conditions as the Sub-Branch thinks fit.
- (f) Give such security for the discharge of liabilities incurred by the Sub-Branch as it thinks fit.
- (g) Appoint Agents to transact any business on its behalf, and
- (h) Enter into any other contract it considers necessary or desirable.

5.2 The Sub-Branch shall not be authorised, entitled, or empowered to engage the credit of, or incur any liability, on behalf of the State Branch.

6. Application of Income and Property

- 6.1 The income and property of the Sub-Branch shall be applied exclusively for the promotion of the objects of the League. No amount may be distributed directly or indirectly to any member except as bona fide remuneration for services rendered or expenses incurred on behalf of the League.

7. Rights and Liabilities of Members

- 7.1 Except as is provided for in the Act, a member is not liable for the debts and liabilities of the Sub-Branch.

8. Membership of the Sub-Branch

- 8.1 The membership shall consist of the following classes, namely:

- (a) **Service** Members.
- (b) Life Members.
- (c) Honorary Members, and
- (d) Honorary Life Members.

- 8.2 The provisions of these Rules shall not disturb the continuity of membership of a person who was admitted to membership of the Sub-Branch (irrespective of the class of membership to which he had been admitted) prior to these Rules coming into force and effect.

9. Categories of League Membership

- 9.1 Categories of League Membership are defined in the State Branch Constitution Rule Nos 12 - 18 inclusive.

10. Social Members of the Sub-Branch

- 10.1 Rule 15 of the State Branch Constitution makes provision for Sub-Branches to apply to State Branch to admit social members. However, applications for social membership should be strongly encouraged to apply to become affiliates of the Sub- Branch in order to uphold the objects of the League. (By-Law 11 refers).

11. General Provisions as to Membership

- 11.1 The Sub-Branch shall have jurisdiction as provided for in the State Branch Constitution, over any person who is a member of the Sub-Branch.

- 11.2 All classes of membership shall be deemed to have agreed to be bound by the provisions of these Rules and the By-Laws. In the event of an inconsistency deemed pursuant to Rule 38 of the State Branch Constitution, between these Rules and By- Laws and those of the State Branch, the State Branch Rules and By-Laws shall prevail to the extent of that inconsistency.

- 11.3 All Service and Life members shall be of equal status in the Sub-Branch.

- 11.4 A Service Member or Life Member who is a member of the Sub-Branch shall not be eligible to be a member of another Sub-Branch but may apply to be admitted as an Associate. Such an application shall be lodged with the Secretary of the other Sub-Branch and upon being admitted, he shall be known as an Associate of that other Sub-Branch.
- 11.5 The Application for Associate membership shall be displayed in a conspicuous place in the Sub-Branches premises for not less than fourteen (14) days prior to consideration at a Committee Meeting of the Sub-Branch.
- 11.6 The annual subscription payable by an Associate to the other Sub-Branch shall be the annual subscription payable by a Service Member less that proportion of each annual subscription referred to in Rule 15.
- 11.7 Subject to Sub-Rule 11.8, a Service or a Life Member who is also an Associate within the meaning of Sub-Rule 11.4, shall be entitled to hold office, vote and speak at a meeting of not more than one Sub-Branch.
- 11.8 A Service or Life Member to whom Sub-Rule 11.7 applies shall :
- (a) Elect in writing the Sub-Branch in which he wishes to be eligible to hold office, vote and speak, and
 - (b) Deliver such election to the Sub-Branches of which he is both a member and an Associate,
- and until he has complied with this Rule, he shall only be entitled to hold office, vote and speak at the Sub-Branch of which he is a member and such election shall not be able to be revoked during the membership year in which it is made.
- 11.9 Should in the opinion of the Committee an Associate Member of the Sub-Branch have been found guilty of conduct unbecoming a member or has been found guilty of any of the provisions contained in Rule 18 of the State Branch Constitution, the Committee may resolve to recommend to a General Meeting of the Sub-Branch that the Member be reprimanded or suspended at the pleasure of the General Meeting or his membership of the Sub-Branch be terminated.
- 11.10 The Sub-Branch in General Meeting may resolve to reprimand or suspend at the pleasure of the General Meeting or terminate the Sub-Branch membership of the Associate referred to in Sub-Rule 11.9. Such resolution shall not be of any force or effect unless the procedures set out in Rule 17 are complied with.
- 11.11 Where an Associate Member has been suspended or has had his Sub-Branch membership terminated, the Sub-Branch shall advise the State Branch of such member's name and the reasons for the suspension or termination.
- 11.12 The National Executive, if it is satisfied that special circumstances exist, and acting on the advice of the Sub-Branch through the State Branch, may admit as a Service Member a person who has not served for the period of six (6) months specified by Rule 9, provided such person is otherwise qualified to be admitted as a Service Member.

11.13 No person who is under the age of 18 years shall be eligible to apply for membership.

12. Cessation of Membership

12.1 Any member desiring to resign and who is not in arrears with his annual subscription shall give notice in writing to that effect. Upon such notice being lodged with the Sub-Branch Secretary he shall cease to be a member and the State Branch shall be advised accordingly.

13. Disciplinary Powers of the Sub-Branch and Appeals Arising Therefrom

13.1 Before disciplinary action is taken the State Branch and the Sub-Branches are to develop compulsory mediation/conciliation procedures to resolve disputes before they escalate to the point where formal action needs to be taken. Guidelines for the mediation process will be contained in the By-Law 22.

13.2 Notwithstanding the above, if the committee of the Sub-Branch has reason to believe that a member may be guilty of conduct unbecoming a member the committee can refer to State Branch Constitution Rule 21 for guidelines and disciplinary powers of the State Branch and appeals arising therefrom. In the event of a conflict between the charged member and one or more members of the committee, such as would compromise the impartiality of any committee findings, the committee or the member may resolve that the matter be referred to State Branch for resolution pursuant to Rule 23.

14. Re-Admission of Persons Previously Expelled from Membership

14.1 No person who has been expelled from Service Membership pursuant to these Rules shall be re-admitted as a Service Member except by the National Executive.

14.2 No person whose Associate or Affiliate Membership of the Sub-Branch has been previously terminated, shall be readmitted as an Associate or an Affiliate, as the case may be, except by a majority of three quarters of the Service Members present and voting at a General Meeting, approving such readmission.

15. Subscriptions

15.1 A Service Member shall pay to the Sub-Branch such annual subscription as is determined from time to time by the State Branch Annual Sub-Branch Conference.

15.2 An Affiliate Member shall pay to the Sub-Branch such amount as is determined by a General Meeting of the Sub-Branch, providing, however, that the amount shall be the minimum prescribed at the State Branch Annual Sub-Branch Conference.

15.3 The Sub-Branch shall pay to the State Branch, such proportion of each annual subscription received by it (referred to as 'capitation fees') as is determined at the State Branch Annual Sub-Branch Conference and the amount shall not be less than that determined at the National Congress.

15.4 Annual subscriptions shall be payable in advance on January 1 in each calendar year.

- 15.5 A person applying for membership and paying a full year's subscription after the 30th September shall be granted membership for the period up to the 31st December of that year and the subscription will take effect from the 1st January of the following year.
- 15.6 (a) If a Member fails to pay his annual subscription by the due date, he shall cease to enjoy the privileges of membership.
- (b) A Member who has not paid his annual subscription by the due date may reinstate his membership by paying the prescribed amount in full prior to 31 December in the year that the membership became due. If the Member makes such a payment then he shall retain his continuity of membership and any office to which he has been elected or appointed. During the period that a Member is unfinancial, he may not hold any office, exercise any voting rights or participate in any debate.
- (c) Member who has not paid his annual subscription prior to 31 December of the year in which it became due may, at the discretion of the Sub-Branch Committee, be required to complete a new Application for Membership in accordance with the Rules and By-Laws for Sub-Branches before his membership is reinstated.
- 15.7 A member whose subscription has not been paid pursuant to Sub-Rule 15.4 shall not be :
- (a) Elected or appointed to any office in the Sub-Branch.
- (b) Elected to represent the Sub-Branch as a Regional Co-ordinator.
- (c) Elected to any office of the State Board, or
- (d) Elected or appointed a Delegate to the State Branch Annual Sub-Branch Conference.
- 15.8 If the Australian Defence Force or an Allied Force is engaged in a conflict, then any Service Member who is a member of that Force and is engaged in that conflict, shall for the period of his involvement in that conflict, be relieved from any liability to pay annual subscriptions to the Sub-Branch.

16. League Name, Badges, Banners, Insignia and Awards

- 16.1 The name of the League, the letters 'RSL', badges, banners, awards and any other insignia of the League remain the property of the League. Conditions and prescribed use are outlined in By-Laws 12 and 13.

17. Capitations and Contraventions

- 17.1 On the first day of each month of the year, the Sub-Branch shall pay to the State Branch Office the capitation fees due and owing by it.
- 17.2 If the Sub-Branch is in default with payment of its capitation fees for a period of three (3) months, its right to vote at the State Branch Annual Sub-Branch Conference shall be suspended so long as such default continues, provided however that the State President

at that Conference may upon such terms as he shall think fit, permit the Sub-Branch to vote.

- 17.3 The Sub-Branch shall provide an audited balance sheet of its financial accounts to the State Branch within thirty (30) days of its Annual General Meeting. Default of this condition will preclude the right to vote at the State Branch Annual Sub-Branch Conference.
- 17.4 The Sub-Branch shall, if required in writing by the State Board, produce for inspection all its books of accounts, minute books, statutory registers kept under any law (if applicable) and records and supply such returns and other information as the State Board may from time to time require.

18. General Meetings

- 18.1 A General Meeting of the Sub-Branch shall be held monthly on a regular date and at a regular time, to be determined from time to time by a General Meeting.
- 18.2 A notice detailing the dates and times of General Meetings for the ensuing year, shall be exhibited on the Sub-Branch Notice Board immediately following the Annual General Meeting.
- 18.3 At a General Meeting of the Sub-Branch, twenty percentum of the Service members or - - - - - Service members present, whichever shall be the lessor, shall form a quorum. If within fifteen (15) minutes of the time fixed for the opening of the meeting, a quorum is not present, the meeting will stand adjourned to such date as shall be fixed by the person who would have been Chairman had the meeting proceeded. Should a quorum not be present at such adjourned meeting, those present shall constitute a quorum and may proceed to transact the business for which the meeting was called.
- 18.4 The proceedings of any General Meeting shall be conducted in accordance with the By-Laws.
- 18.5 At every General Meeting of the Sub-Branch the Bank Statement shall be produced for inspection together with a Statement of Income and Expenditure for the period since the presentation of such statement was previously provided to the General Meeting.
- 18.6 A General Meeting may appoint such Sub-Committees as it may deem necessary and Delegate to such Sub-Committees such of its powers as it thinks fit. Such Sub-Committees shall consist of at least one (1) member of the Sub-Branch Committee and such other members of the Sub-Branch as are considered necessary. The President (or his nominee) shall be an 'ex-officio' member of any Sub-Committee appointed pursuant to this Sub-Rule.

19. Special General Meetings

- 19.1 The Sub-Branch President may convene a Special General Meeting as and when deemed necessary or on receiving a requisition to do so in writing, signed by not less than ten Service members of the Sub-Branch.
- 19.2 Any such requisition shall set out the business to be submitted to such Special General Meeting.

- 19.3 All business shall be special that is transacted at a Special General Meeting and shall be conducted in accordance with the By-Laws but exclude that business normally transacted at a General Meeting.
- 19.4 Subject to the provisions of the Act relating to special resolutions and agreements for shorter notice, at least twenty-one (21) days notice (exclusive of the day on which the notice is served or deemed to be served, but inclusive of the day for which notice is given) specifying the place, day and the hour of the meeting and in the case of special business, the general nature of that business, shall be given to such persons as are entitled to receive notice.
- 19.5 The quorum of a Special General Meeting shall be twenty-five percentum of the financial Service Members of the Sub-Branch or - - - - - financial Service members whichever shall be the lesser.
- 19.6 If within fifteen (15) minutes of the time fixed for the opening of any Special General Meeting a quorum is not present, the meeting shall be adjourned to such date and time as shall be fixed by the person who would have been Chairman had the meeting proceeded. Should a quorum not be present at such adjourned meeting, those present shall constitute a quorum and may proceed to transact the business for which the meeting was called.

20. Annual General Meetings

- 20.1 There shall be an Annual General Meeting which shall be held during the month of - each year.
- 20.2 Notice of the date and time of the Annual General Meeting shall be given to all members of the Sub-Branch in accordance with Rule 28.
- 20.3 No business shall be transacted at any such Annual General Meeting of the Sub-Branch unless a quorum of twenty-five percentum of the financial Service Members of the Sub-Branch or - - - - - financial Service Members, whichever is the lesser, is present at the time when the meeting proceeds to business.
- 20.4 If within thirty (30) minutes from the time appointed for the meeting a quorum is not present, it shall stand adjourned until the same day in the next week at the same time and place or to such other day and at such other time and place as the Sub-Branch may determine and if at the adjourned meeting a quorum is not present within thirty (30) minutes of the time appointed for the meeting, the members present and entitled to vote shall constitute a quorum.
- 20.5 The Sub-Branch President shall preside as Chairman at every Annual General Meeting or in the event of his absence or if there is no Sub-Branch President or if he is not present within fifteen (15) minutes of the time appointed for the holding of the meeting or is unwilling to act, a Vice President shall preside as Chairman of the meeting. In the event of there being no Vice President or if he is not present within fifteen (15) minutes of the time appointed for the holding of the meeting or is unwilling to act, the members present and entitled to vote shall elect one of the members to be Chairman of the meeting.
- 20.6 The Chairman may, with the consent of any meeting at which a quorum is present and shall if so directed by the meeting, adjourn the meeting from time to time and from place

to place, but no business shall be transacted at any adjourned meeting other than business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting, but it shall not be necessary to give any notice of the business to be transacted at the adjourned meeting.

- 20.7 The conduct of any Annual General Meeting of the Sub-Branch, shall be conducted in accordance with the By-Laws.

21. State Branch Annual Sub-Branch Conference

- 21.1 The Sub-Branch shall be entitled to appoint one Delegate to the State Branch Annual Sub-Branch Conference and an Alternate Delegate to act in the absence or non-availability of the appointed Delegate. Persons so appointed shall be Service members except as provided by Sub-Rule 9.

22. Sub-Branch Appointments

- 22.1 There shall be a Committee appointed by the Members present and voting at the Annual General Meeting, comprising:

- President
- Immediate Past President - who shall act only for the period immediately following his vacation of Office of President and until the next Annual General Meeting of the Sub-Branch
- . Vice President(s) - as determined by the Sub-Branch
- Secretary
- Treasurer
- ... Committee Members - as determined by the Sub-Branch

- 22.2 The duties of the Officers are as prescribed in the By-Law, however, the Offices of Secretary and Treasurer may be combined at any time subject to the approval of a General Meeting of the Sub-Branch.
- 22.3 Any Service or Life Member shall be eligible for election as President or Vice President, providing that member has been a Service or Life Member of the Sub-Branch for not less than twelve (12) months immediately prior to the calling of nominations and has previously served at least twelve (12) months on the Committee of a Sub-Branch.
- 22.4 Any Service, Life Member or **Affiliate** of the Sub-Branch shall be eligible for election as Secretary, Treasurer or as a Member of the Management Committee provided that the member has been a Service, Life Member or **Affiliate** of a Sub-Branch for not less than twelve (12) months immediately prior to the calling of nominations.
- 22.5 Nominations for the elections of Officers and members of the Committee shall be called at the - - - - - General Meeting of the Sub-Branch and a notice advising that nominations have been called, shall be given to members in accordance with By-Law No. 9.
- 22.6 The notice of the calling of nominations shall include the date and time such nominations close. Such nominations shall be submitted in writing and in the form prescribed in the By-Law.
- 22.7 Any Casual Vacancies in the Committee may be filled by the Committee and any person appointed to fill such casual vacancy shall hold office only for the expired portion of his predecessor's term of office.

22.2 Subject to the provisions of the Act one or more Auditors shall be appointed at the Annual General Meeting of the Sub-Branch, providing, however, that no member of the Management Committee shall be so appointed.

23. Accounts

23.1 The financial year of the Sub-Branch shall be for the twelve (12) months ending on
- - - - -

23.2 The Sub-Branch shall cause proper books of accounts to be kept with respect to:

- (a) All sums of money received and expended; and the manner in respect of which the receipt and expenditure takes place.
- (b) All sales and purchases of real and personal property by the Sub-Branch, and
- (c) The assets and liabilities of the Sub-Branch.

23.3 Such accounts shall be kept at the registered office of the Sub-Branch, or subject to the Act, at such other place as the Sub-Branch thinks fit and shall always be available for the inspection by the members of the Committee.

23.4 Excluding liabilities incurred in trading, the Committee shall not, except in the case of an emergency, incur any liability involving more than \$ - - - - -, without the prior approval of the Sub-Branch in a General Meeting.

23.5 The Sub-Branch Committee shall cause to be prepared and to be laid before the Annual General Meeting of the Sub-Branch such Income and Expenditure accounts, Balance Sheets and reports as are required in accordance with the provisions of the Act.

23.6 The Auditor(s) shall at least once in every financial year, examine the Balance Sheet and all accounts relating thereto and shall make a report to the Sub-Branch as to the correctness thereof.

24. Common Seal

24.1 The Sub-Branch shall have a Common Seal (with power to break, alter and change the same from time to time) and on such Common Seal shall be inscribed the name of the Sub-Branch.

24.2 The Seal Holders of the Sub-Branch shall be the person for the time being discharging the duties of President and the person for the time being discharging the duties of the Secretary, or such other member or members of the Committee as may be appointed by the Committee and such persons alone shall be the persons authorised to use the Common Seal.

24.3 The Common Seal shall not be affixed to a document except by the authority of the Sub-Branch Committee.

24.4 Every use of the Seal shall be recorded in the Minute Book of the Sub-Branch and shall be affixed only in the presence of the Seal Holders who shall thereupon append their signatures in addition.

25. Amendment of these Rules

25.1 These Rules may only be amended by a special resolution passed at a State Branch Annual or Extraordinary Sub-Branch Conference and passed by at least 75% of the votes cast by those members entitled to vote on the said resolution.

25.2 The notice served in accordance with Rule 28 shall set out the intention to propose the resolution as a special resolution and specify the terms of the resolution.

26. Standing Policy

26.1 Standing Policy is the policy of the League on any particular matter or topic and which the State Branch Annual Sub-Branch Conference has determined to be Standing Policy in accordance with this Rule.

26.2 The Sub-Branch shall be bound by and promote the Standing Policy and that of the National Constitution.

26.3 The Sub-Branch shall be non-sectarian and on all questions of Party politics, shall maintain a neutral attitude.

26.4 Standing Policy may only be made, amended or repealed by resolution of the State Branch Annual Sub-Branch Conference, save that it shall be deemed to be repealed by the operation of Sub-Rule 46 of the State Branch Constitution.

26.5 Any Standing Policy will be deemed to be repealed 5 years after the policy becomes Standing Policy. Such Standing Policy can be remade by the passing of a resolution by the State Branch Annual Sub-Branch Conference to that affect.

27. By-Laws

27.1 A General Meeting of the Sub-Branch shall have the power from time to time to make, amend or rescind, such By-Laws as are in its opinion necessary and desirable for the proper control, administration and management of the Sub-Branch's affairs, providing such amendments, rescission or making of such By-Laws does not contravene the State Branch Constitution and Rules or those of the National Constitution.

27.2 A By-Law shall :

(a) Be subject to these Rules.

(b) Be not inconsistent with any provision contained therein.

(c) Be entered in a record, which shall be kept for the inspection of members and such By-Laws may be printed and circulated at the discretion of the Committee, and

(d) When in force shall be binding on all members, irrespective of the class of membership to which they have been admitted, and shall have the same effect as these Rules.

28. Notices

28.1 A Notice may be given by the Sub-Branch to any member irrespective of the class of membership to which he has been admitted, either personally, or by sending it by post to him at his registered address. Where a notice is sent by post, service of the notice shall be deemed to be effective by properly addressing, pre-paying and posting the notice in sufficient time for it to be delivered in the ordinary course of post.

29. Women's Auxiliaries

- 29.1 The State Board may permit the formation of a Woman's Auxiliary of the Sub-Branch.
- 29.2 The Rules governing the administration of the Auxiliary are contained in the Rules and Guidelines approved by the State Council and in the By-Laws.

30. General

- 30.1 Any member of the Sub-Branch shall be entitled to view a copy of these Rules at the Sub-Branch or purchase a copy from the State Branch Office.
- 30.2 The adoption of these Rules shall not invalidate any appointment made or act done under the Rules then existing, but all such appointments made and acts done shall be construed as having been made and done in pursuance of these Rules to the extent that they are not inconsistent herewith.
- 30.3 No member of the Sub-Branch, whether acting or purporting to act on behalf of the Sub- Branch, shall, unless authorised by resolution of the Sub-Branch, or in cases of emergency by the Sub-Branch President, supply any information to the news media nor take part in any deputation to any Minister of the State or Commonwealth Government or any official thereof, on any matter relating to the Sub-Branch or its affairs.
- 30.4 By resolution of a General Meeting of Service Members, recommendations may be made to the State Branch in accordance with the By-Laws for the following awards :
 - (a) Meritorious Service Medal.
 - (b) Life Membership.
 - (c) League Service Award - State.
 - (d) Certificate of Merit and Gold Badge.
 - (e) Certificates of Appreciation - State and National.
 - (f) Certificate of Outstanding Service.
 - (g) Long Service Award (50 Years Cumulative Service).
 - (h) The ANZAC of the Year Award, and
 - (i) The ANZAC Peace Prize.
- 30.5 Any visitor to the Sub-Branch shall be introduced by a financial member of the Sub-Branch and if required under the Legislation, registered in a Visitors Book kept for that purpose.
- 30.6 If any situation occurs which is not, in the opinion of the Committee, provided for by these Rules, or the Constitution of the State Branch, it shall be determined by a General Meeting of the members or of the Committee, as such circumstances warrant.

31. Winding Up of the Sub-Branch

- 31.1 If the Sub-Branch ceases to operate or is dissolved or is wound up, its assets shall, after the satisfaction of all its debts and liabilities and subject to the Act, vest in the Returned & Services League of Australia (S.A. Branch) Inc., to be used by the League as far as possible for its purposes in the place where that Sub-Branch formerly carried out its activities.



**BY-LAW NUMBER EIGHT
(N08)**

**AWARDS AND RECOGNITION
OF
THE RETURNED & SERVICES LEAGUE OF AUSTRALIA
(SA BRANCH) INCORPORATED**

Motto: The Price of Liberty is Eternal Vigilance

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AWARDS AND RECOGNITION

1. Introduction

- 1.1. This By-Law provides the process for acknowledging the contribution of our membership. This shall be read in conjunction with the [RSL Australia By- Law Six](#) that outlines the criteria for each award.
- 1.2. This By-Law applies to the awarding of:
 - 1.2.1. Meritorious Service Medal;
 - 1.2.2. Life Membership;
 - 1.2.3. Long Service Award;
 - 1.2.4. Certificates of Merit and Gold Badge; and
 - 1.2.5. Certificates of Appreciation for Outstanding Service.

2. Nomination Process for Granting an Award

- 2.1. All Awards as outlined in the [League Rules](#) are granted by the National Board. Nominations for the granting of such Awards are to be submitted by the State Board, a Sub-Branch Committee or Chapter to the State Branch Awards and Recognition Committee.
- 2.2. The State Branch Awards and Recognition Committee assesses the eligibility and merits of the nomination. Recommendations are then made to the State Board for their consideration.
- 2.3. Upon endorsement by the State Board, Award nominations are then submitted to the National Board.

3. Withdrawal of an Award

- 3.1. In accordance with the Rules, the discretion to withdraw an Award lies with the National Board. Such action may be taken upon recommendation of the National Tribunal, the State Branch Tribunal, the State Board, or a Sub-Branch.

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BY-LAW NUMBER NINE (N09)

ELECTION OF STATE BRANCH OFFICERS

OF

THE RETURNED & SERVICES LEAGUE OF AUSTRALIA
(SA BRANCH) INCORPORATED

Motto: The Price of Liberty is Eternal Vigilance

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PREFACE

To ensure that fair and transparent elections are conducted in a consistent way requires a clear understanding of all the elements necessary to administer such a process. This by-law is designed to set out in detail the rules required to administer those necessary arrangements.

The Returning Officer is required to interpret and apply the provisions in these rules. Consequently, a clear, complete, and unambiguous set of rules is provided to ensure that the Returning Officer applies these provisions as intended.

Generally, there are two types of methods for conducting elections: the Direct Voting System and the Collegiate Voting System. Both methods are used in conducting elections for RSL SA officer positions as outlined in this by-law.

The Direct Voting System is used for conducting the election of State Board members. This type of ballot may be conducted electronically or by post.

Each Region is allocated a Regional Adviser position to represent that region and provide guidance and assistance to Sub-Branches on the interpretation and implementation of the Constitution and by-laws of RSL SA. Consequently, the election of Regional Advisers is conducted by the relevant Sub-Branch Presidents/Chairs either in person at a Regional Presidents Forum or via an electronic or postal method. The specific regions are defined by the State Board and promulgated in the by-laws. The election method of the election of Regional Advisors is conducted via the Collegiate Voting System.

ELECTION OF STATE BRANCH OFFICERS

Introduction

- 1.1. The purpose of this by-law is to provide guidance for the management and administration to conduct elections for State Branch Officers. The election of State Branch Officers includes both members of the State Board and Regional Advisers.
- 1.2. The election of State Branch Board members shall be conducted by secret ballot as a Direct Election by all eligible financial members either by electronic or postal means.
- 1.3. The election of Regional Advisers shall be conducted by the Sub-Branch Committee Presidents and Chairs of the applicable Region in which the vacancy exists.
- 1.4. This by-law is to be read in conjunction with the RSL SA Constitution.

Definitions

In this by-law the following definitions are used in addition to those contained within the RSL SA Constitution:

- 2.1. “**Candidate**” means a person who seeks and is nominated for an elected State Branch officer position. Also known as the nominee.
- 2.2. “**Candidate Statement**” means a summary of a candidate’s skills and experience; not exceeding 400 words.
- 2.3. “**Close of Roll Day**” means the day on which the roll of voters for the ballot is closed. Any member who is eligible to vote on that day is included in the roll of voters.
- 2.4. “**Collegiate Electoral System**” means the method of election by Sub-Branch delegate used to conduct a ballot for Regional Adviser positions.
- 2.5. “**Declaration of Results**” means the written notice by the Returning Officer to the State Board, Sub-Branches and all candidates advising of the results of the election.
- 2.6. “**Direct Voting System**” means the method of election to conduct a ballot at which all eligible financial members are given the opportunity to vote.
- 2.7. “**Financial Service Member**” means an individual who, at the date determined in the Constitution, is a Service Member/Life Member; has paid their subscription when due and prior to close of Roll.
- 2.8. “**First Past the Post system**” means the candidate who polls more votes than any other candidate is elected.
- 2.9. “**Membership**” means continuous membership of the League in any jurisdiction and currently within RSL SA.
- 2.10. “**Nominator**” means a person who nominates another person for office and includes the person seconding the nomination.
- 2.11. “**Nominee**” means the person nominated for office and is also known as the candidate.

- 2.12. “**Prescribed Officer**” means the office holder or employee within State Branch who is authorised by the State Board to make available the register of members to the Returning Officer.
- 2.13. “**Provisional Stewardship Arrangements**” means the series of practices taken by the State Board during the period that the State Branch Officer election is conducted.
- 2.14. “**Regional Adviser**” means the elected position that acts as liaison between the State Branch and a group of allocated Sub-Branches to a Region.
- 2.15. “**Responsible Person**” means a person who is responsible for governing RSL SA in accordance with the ACNC Governance Standards.
- 2.16. “**Returning Officer**” means the person appointed by the State Board to conduct the election.

Appointment of a State Branch Returning Officer

- 3.1. The State Board shall appoint a State Branch Returning Officer and an Assistant Returning Officer as the responsible persons to oversee the election process of members of the State Board and of Regional Advisers.
- 3.2. The Returning Officers shall not be employees of RSL SA nor be employees or partners of any service provider to RSL SA.
- 3.3. The State Branch Returning Officers shall be appointed no later than 90 days prior to the conduct of an election.
- 3.4. Prior to appointing the Returning Officers, the Board shall determine:
 - 3.4.1. how many State Board and Regional Adviser positions are to be contested;
 - 3.4.2. the date for the conduct of the ballot for the election of the State Board positions;
 - 3.4.3. whether the ballot for the elections of Regional Advisers will be undertaken at a meeting of that region, or by Reply Paid post or via an electronic voting application; and
 - 3.4.4. any specific skills or expertise that may be required by the Board.

Provisional Stewardship Arrangements

- 4.1. Provisional stewardship arrangements shall be in place from the date which is 21 days after the Call for Nominations (Close of Nominations) and will remain in place until the conclusion of the Annual Sub-Branch Conference (ASBC).
- 4.2. These arrangements are to ensure that:
- 4.3. the existing State Board shall avoid entering into Designated Decisions during the election period that will bind the incoming Board or the membership. For the purposes of this clause, Designated Decision means any of the following:
 - 4.3.1. termination of the Chief Executive Officer’s employment;
 - 4.3.2. appointment of a Chief Executive Officer other than in an acting capacity;

- 4.3.3. entering into a contract, arrangement or understanding with a term greater than 90 days;
 - 4.3.4. entering into a contract, arrangement or understanding with a value that exceeds \$100,000; or
 - 4.3.5. allowing the use of RSL SA resources for the advantage of a particular candidate or group of candidates (other than a decision that allows the equal use of RSL SA resources by all candidates).
- 4.4. As far as reasonably practicable, the CEO should avoid scheduling significant decisions for the Board while the election period is in progress.

Powers and Duties of the Returning Officer

- 5.1. The Returning Officer shall prepare and circulate a notice calling for nominations in accordance with this by-law.
- 5.2. After the close of nominations, the Returning Officer shall consider all nominations received during the nomination period. The Returning Officer shall reject any nominations received after the nomination period has closed.
- 5.3. The Returning Officer shall accept all nominations which satisfy the requirements of this by-law including the requirements of the ACNC Governance Standard 4.
- 5.4. The Returning Officer shall treat any defective nominations received prior to the close of nominations in the manner prescribed in Clause 14.
- 5.5. Where a ballot is required, the Returning Officer shall conduct the ballot in accordance with the provision of this by-law.
- 5.6. The Returning Officer shall take such action and give such directions as the Returning Officer considers necessary to ensure the secrecy of the ballot and to prevent or remedy an irregularity.

Administrative Requirements for the Conduct of an Election

- 6.1. The Chief Executive Officer and the State Branch Membership Officer are deemed the Prescribed Officers.
- 6.2. The State Branch Returning Officer, in collaboration with the Prescribed Officers manages the administrative arrangements to prepare for the conduct of the elections.
- 6.3. These administrative arrangements include:
 - 6.3.1. promulgating the timeline of the election process;
 - 6.3.2. ensuring the voting eligibility of members;
 - 6.3.3. conducting candidate scrutiny to ascertain eligibility;
 - 6.3.4. confirming that candidates' nominator and seconder are financial Service members;
 - 6.3.5. advising the relevant Sub-Branche of a particular Region of the need to conduct a ballot for Regional Adviser candidates;

- 6.3.6. arranging for the preparation and distribution of election material as approved by the State Board;
- 6.3.7. assisting the Returning Officer with the scrutiny of the poll; and
- 6.3.8. undertaking the declaration of the result of the poll.

Issuing of an Election Notice

- 7.1. The Returning Officer shall authorise an election notice to be issued via a Prescribed Officer.
- 7.2. Such notice in writing shall be published on the RSL SA Inc website and shall be issued individually to members and Sub-Branches by electronic and/or postal means.
- 7.3. The election notice shall:
 - 7.3.1. state that the election is being conducted by the Returning Officer;
 - 7.3.2. list the offices for which nominations are sought;
 - 7.3.3. invite nominations for election from all eligible persons;
 - 7.3.4. fix the time and date for the opening and closing of nominations;
 - 7.3.5. fix the time and date for the opening and closing of the ballot;
 - 7.3.6. specify the place where nomination forms may be obtained;
 - 7.3.7. specify the accepted methods of lodgement of nominations;
 - 7.3.8. state that the time and date for withdrawal of nominations can be made at any time up until the close of nominations in accordance with Clause 7.3.4 ; and
 - 7.3.9. if applicable, specify other documentation required to be submitted with the nomination.
- 7.4. The Election Notice shall be published to each service member and the Secretary of each Sub-Branch not less than 60 days prior to the conduct of the election.

Conducting the Election of State Board Positions

- 8.1. The election of State Board positions shall be by secret ballot and by the first past the post method.
- 8.2. The election for offices of the State Board shall be conducted under a Direct Voting system.
- 8.3. The Service Members, including those who are Life Members within RSL SA, are the electors.

Conducting the Election of Regional Advisers

- 9.1. Regional Adviser positions shall be elected by the delegates of the Sub-Branches allocated to the applicable Region.
- 9.2. Regional Advisers shall be elected for a term of three (3) years.
- 9.3. The election shall be by secret ballot and by the first past the post method.

- 9.4. An election for a Regional Adviser position may be conducted by Postal Ballot in those circumstances that the Returning Officer deems as a more effective and cost-efficient method. The process for conducting a Postal Ballot is outlined at Clause 23.

Calling for Nominations

- 10.1. Nominations for all State Branch Officer positions shall be called by the Returning Officer 60 days prior to the issuing of ballots for the election.
- 10.2. If the day falls on a weekend or a public holiday, the relevant day shall be the next business day after that date.
- 10.3. Nominations shall be called in the manner prescribed in this by-law.
- 10.4. A Nominee shall be nominated by two (2) Nominators (a Nominator and a Seconder), and those Nominators must be a financial Service Member within RSL SA.
- 10.5. Each member's eligibility to participate as a nominee or nominator shall be determined as at the close of nominations.
- 10.6. Any candidate for office must be a financial Service Member within RSL SA.
- 10.7. As per Clauses 27.2 and 27.12 of the State Branch Constitution, the State Board should have a diverse range of skillsets and expertise. Therefore, when Board positions become vacant or tenure is due to expire, the Board shall identify where there are skills gaps.
- 10.8. A skills audit shall occur to ensure a balanced Board is maintained. Besides the general eligibility criteria, targeting specific skills and/or expertise shall be included in the call for nominations.

Lodging of Nominations

- 11.1. Nominations lodged with the Returning Officer shall be in writing and include the following information:
- 11.1.1. the full name of the nominee;
 - 11.1.2. the preferred name of the nominee that is to appear on a ballot paper if different to the name in Clause 11.1.1
 - 11.1.3. the nominee's contact details;
 - 11.1.4. the name and address of each nominator;
 - 11.1.5. the office for which the nominee is nominating;
 - 11.1.6. the signed endorsement/consent of the nominee;
 - 11.1.7. the signature of each nominator;
 - 11.1.8. a declaration that the nominee is not disqualified under ACNC Governance Standard 4.
 - 11.1.9. any further documentation required by the Returning Officer.
- 11.2. The Nomination application shall be in the format provided in Annexure A to this by-law.

- 11.3. A completed and signed Nomination Form with accompanying biographical details, a recent headshot photo and a candidate statement of no more than 400 words in length shall be lodged with the Returning Officer by noon on a business day not more than 21 days after the Call for Nominations.
- 11.4. Upon receipt of a nomination, the Returning Officer shall immediately endorse the date and time of receipt on the Nomination Form.

Holding more than One Office

- 12.1. No person may hold simultaneously more than one State Branch Officer position. This includes in descending ranking:
 - 12.1.1. State President; and
 - 12.1.2. Elected State Board Member; and
 - 12.1.3. Regional Adviser.
- 12.2. The Returning Officer shall first count the votes for the position of State President and declare the successful candidate elected.
- 12.3. Where, in the counting of votes in accordance with this clause, the person declared elected is also a candidate for another position of Elected State Board Member and/or Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.
- 12.4. Where, in the counting of votes in accordance with this clause, the person declared elected as an Elected State Board Member is also a candidate for another position of Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.
- 12.5. In the case of an uncontested election for State President and the person declared elected is also a candidate for another position of Elected State Board Member and/or Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.
- 12.6. In the case of an uncontested election for Elected State Board Member and the person declared elected is also a candidate for another position of Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.

Eligibility for Nomination

- 13.1. In accordance with ACNC's Governance Standards, all candidates nominating for State Branch Officer positions shall be eligible to be a Responsible Person.
- 13.2. An individual may be disqualified from being a Responsible Person if they:
 - 13.2.1. have been disqualified by the ACNC in the past twelve months; or
 - 13.2.2. are disqualified from managing a corporation within the meaning of the *Corporations Act 2001* (Cth). That is:
 - 13.2.2.1. having been convicted of certain offences, such as serious offences, dishonesty offences or other offences that can affect a corporation;

- 13.2.2.2. are an undischarged bankrupt or are subject to a 'personal insolvency agreement' that has not been followed; or
 - 13.2.2.3. having been disqualified by the Australian Securities Investment Commission, the Office of the Registrar of Aboriginal and Torres Strait Islander Corporations, or an Australian or New Zealand Court.
- 13.3. For President and State Board Members - in addition to Clause 13.1, eligibility criteria for candidates for State Board positions are as follows:
- 13.3.1. shall be a financial Service Member and
 - 13.3.2. shall have held membership in any jurisdiction for 2 years and are a current member of RSL SA for greater than twelve (12) months.
- 13.4. For Regional Advisers - in addition to Clause 13.1, eligibility criteria for candidates for Regional Adviser positions are as follows:
- 13.4.1. shall be a financial Service Member of RSL SA;
 - 13.4.2. shall have held a Sub-Branch Committee position for a period of not less than two (2) years; and
 - 13.4.3. should have a knowledge and understanding of the Rules of RSL SA.

Defective Nominations

- 14.1. Prior to the Close of Nominations, where the Returning Officer finds that a nomination is or may be defective, the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and give the person an amount of time determined reasonable by the Returning Officer but no later than the Close of Nominations to remedy the defect or provide further information in support of the nomination.
- 14.2. Where the Returning Officer has notified a person of a defective nomination, and where that person has corrected the defect and advised the Returning Officer within the time prescribed by the Returning Officer, the Returning Officer shall accept the nomination.
- 14.3. Where the Returning Officer has notified a person of a nomination defect, and where that person has not corrected the defect and advised the Returning Officer within the time prescribed by the Returning Officer, the nomination shall be rejected.

Withdrawal of Nominations

- 15.1. A member nominating for any State Branch office may withdraw the nomination by notice in writing to the Returning Officer up to, but no later than the close of nominations.
- 15.2. The notification referred to in Clause 15.1 must include a signed endorsement by the nominee and be in a form acceptable to the Returning Officer.

- 15.3. Once a nominator (including a seconder) has endorsed the nomination of a member for election to any State Branch office, that nominator may not subsequently withdraw that endorsement.

Voting Eligibility to Participate in Election

- 16.1. All financial Service Members including Life Members are eligible to participate in the election of State Board positions based on the following eligibility criteria:
- 16.1.1. That the member is financial as of the date of the close of the Roll of Voters; and
 - 16.1.2. Has an email or postal address to receive election and ballot material.
- 16.2. Participation in the election of a Regional Adviser position is based on the following eligibility criteria:
- 16.2.1. The Sub-Branch is allocated to that Region in which the position is assigned; and
 - 16.2.2. The Sub-Branch nominates a delegate.

Scrutineers (Postal Votes)

- 17.1. Appointment
- 17.1.1. Each candidate may appoint, in writing, one person as Scrutineer to represent the candidate's interests in the conduct of the ballot.
 - 17.1.2. A Scrutineer shall not be a candidate for any position which is also included in a ballot in the election.
 - 17.1.3. The candidate may appoint one or more substitute scrutineers, if required.
- 17.2. Rights and obligations
- 17.2.1. A Scrutineer may be present at any stage in the ballot. This includes:
 - 17.2.1.1. Countersigning any seals or placing their own seal on any receptacle being used for the ballot.
 - 17.2.1.2. Bringing to attention of the Returning Officer any alleged irregularity in:
 - 17.2.1.2.1. the issue of ballot papers;
 - 17.2.1.2.2. the admission of envelopes to scrutiny;
 - 17.2.1.2.3. the formality or informality of ballot papers; or
 - 17.2.1.2.4. the counting of votes.
- 17.3. A Scrutineer shall not:
- 17.3.1. interrupt the scrutiny without lawful reason;
 - 17.3.2. disclose any knowledge acquired by them concerning votes of any particular voter or voters;
 - 17.3.3. fail to carry out any lawful request by the Returning Officer;

- 17.3.4. touch any ballot material; and
- 17.3.5. act in a manner which will interfere with the proper conduct of the election.
- 17.4. Failure of a scrutineer to attend any scheduled event will not delay any step in the election.

Roll of Voters

- 18.1. The Returning Officer shall request the Prescribed Officer to supply the name, email address and residential postal address of every member eligible to vote at the election.
- 18.2. Any candidate for election may inspect and obtain a copy of the roll for the sole purposes of the election and for no other purpose. A copy of the roll shall be provided in an electronic form, and will include full names, Sub-Branch, email address and residential postal address.
- 18.3. The Roll of Voters will be closed 21 days prior to election day.

Uncontested Elections

- 19.1. If only one valid nomination for the position of State President is received, the Returning Officer will declare the candidate elected.
- 19.2. If, after the ballot for the President has been declared, and the number of valid nominations received is less than or equal to the number of Elected Board member positions to be filled, the Returning Officer will declare the candidates elected.
- 19.3. Any unfilled positions will be declared casual vacancies and will be filled in accordance with clause 30.5 of the Constitution.
- 19.4. Any unfilled Regional Adviser positions will be declared casual vacancies and will be filled as follows:
 - 19.4.1. The State Board may appoint any current financial Service Member to fill the casual vacancy.
 - 19.4.2. A Regional Adviser appointed in accordance with clause 19.4.1 shall hold office until the end of the next ABSC, following the appointment.

Contested Elections

- 20.1. If the number of valid nominations received for a State Board position exceeds the number of positions to be filled, the Returning Officer shall conduct a secret ballot by electronic and/or postal means of members entitled to vote.
- 20.2. Ballots shall be conducted sequentially in descending hierarchical order as identified in Clause 20.3. Once a ballot is completed and the result determined the ballot for the next highest office shall commence.
- 20.3. The order in which the ballot is to be conducted for State Board positions is:
 - 20.3.1. State President;
 - 20.3.2. First Elected State Board Member;
 - 20.3.3. Second Elected State Board Member; and

- 20.3.4. Additional Elected State Board Member(s) as a result of a casual vacancy in the preceding 12 months.
- 20.4. If the number of valid nominations received for a Regional Adviser position exceeds the number of positions to be filled, the Returning Officer shall conduct a secret ballot of members entitled to vote.

Ballot Papers

- 21.1. The following features shall appear on all ballot papers prepared for the conduct of a secret ballot to elect State Branch Officers:
- 21.1.1. The logo and name of RSL SA;
 - 21.1.2. The initials of the Returning Officer or other authenticating mark;
 - 21.1.3. The name and number of the positions to be elected;
 - 21.1.4. Instructions for marking the ballot paper;
 - 21.1.5. The names of the candidates in the order required by this by-law;
 - 21.1.6. Instructions for returning the ballot paper; and
 - 21.1.7. Any other instruction considered necessary by the Returning Officer.
- 21.2. The ballot papers shall contain the names of the candidates as shown by the candidate on the nomination form (preferred name for ballot paper) with the last name first followed by the given names.
- 21.3. The order of names in each ballot on the ballot paper shall be determined by lot drawn by the Returning Officer, within 48 hours upon the close of nominations.
- 21.4. The ballot shall be conducted under the First Past the Post voting system. That voting system being the method where a candidate is elected with a simple majority of votes, that is, the highest number of votes in the count.
- 21.5. The voter shall vote for the number of candidates to be elected with either a tick or a cross not exceeding the number of positions vacant.
- 21.6. The result of a ballot is determined by counting the number of votes shown against the name of each candidate. The candidate with the highest number of votes is elected.
- 21.7. If two or more candidates each receive the same number of votes, the Returning Officer shall decide by lot which candidate is to be elected.
- 21.8. A ballot paper shall be informal if marked other than in accordance with this by-law.

Conducting an Electronic Ballot

- 22.1. In general, all contested elections shall be conducted electronically by a contracted organisation using the email addresses of members.
- 22.2. The only exception will be for those members who do not have an email address and they shall be provided with a postal ballot to be actioned in accordance with clause 23.
- 22.3. Electronic ballots conducted by a contracted organisation will assure the secrecy and integrity of the election process.

Conducting a Postal Ballot

- 23.1. Where a decision by the Returning Officer is made to conduct an election by postal ballot the following arrangements are to occur.
- 23.2. **Postal facilities for ballot material** - The Returning Officer shall, for the purpose of receiving ballot material for the ballot, use a private box or other secure postal facility at a post office or mail centre. Access to the private box shall be limited to:
 - 23.2.1. persons authorised by Australia Post;
 - 23.2.2. the Returning Officer; and
 - 23.2.3. persons authorised in writing by the Returning Officer.
- 23.3. **Issue of ballot material** - As soon as practicable after the close of nominations, the Returning Officer shall forward ballot material in a sealed envelope by prepaid post to each person on the roll of voters at the address shown on the roll of voters.
- 23.4. Ballot material shall include:
 - 23.4.1. Instructions for the return of the ballot paper and its declaration envelope.
 - 23.4.2. One or more ballot papers (as applicable) showing the time and date of the close of the ballot;
 - 23.4.3. A Reply-Paid envelope addressed to the private box referred to at Clause 23.2 being in an envelope that may be posted without expense to the voter;
 - 23.4.4. An inner 'Declaration Envelope' suitable for containing the ballot paper(s); and
 - 23.4.5. A copy of the biographical details and candidate statement for each candidate.
- 23.5. **Replacement ballot material** - Where a member whose name is on the roll of voters claims that the ballot material has not been received or has been lost, destroyed or spoiled, the member may make an application to the Returning Officer for the issue of replacement ballot material.
- 23.6. The application shall be submitted before 6:00pm at least two days prior to the close of polls of the election and shall:
 - 23.6.1. be in writing;
 - 23.6.2. set out the applicant's full name and postal address;
 - 23.6.3. set out the grounds on which the application is made;
 - 23.6.4. contain a declaration that the applicant has not voted in the ballot;
 - 23.6.5. be accompanied, if practicable, by any evidence that is available of the loss, destruction or spoiling of the ballot material.
- 23.7. If the Returning Officer is satisfied that the information contained in the application is true and correct, the Returning Officer shall issue replacement ballot material to the applicant.

- 23.8. Scrutiny of the Postal Ballot - During the course of the ballot the Returning Officer may collect returned envelopes from the private post box and keep them in safe custody until the commencement of the preliminary scrutiny.
- 23.9. The Returning Officer shall make a final clearance of returned envelopes so that all envelopes received by the Returning Officer including those in accordance with Clause 23.17 are admitted to the scrutiny.
- 23.10. Preliminary scrutiny of envelopes - The Returning Officer shall conduct a preliminary scrutiny of returned declaration envelopes to ensure that only one returned envelope from each eligible voter is admitted to the count.
- 23.11. The Returning Officer may commence the preliminary scrutiny prior to the close of the ballot.
- 23.12. Before proceeding to count the votes to ascertain the result of the ballot, the Returning Officer shall:
- 23.12.1. Remove the 'Declaration Envelope' from the Reply-Paid envelope; and
- 23.12.2. Examine the voter's declaration attached to each 'Declaration Envelope', and mark off the voter's name against a copy of the roll of voters.
- 23.13. A voter's returned ballot material shall be rejected and set aside if:
- 23.13.1. The 'Declaration Envelope' has not been returned, or
- 23.13.2. The voter has not completed the declaration on the 'Declaration Envelope' to satisfy the Returning Officer;
- 23.13.3. The voter is ineligible to vote; or
- 23.13.4. The Returning Officer is unable to identify the voter on the roll of voters.
- 23.14. Where a voter returns more than one set of ballot material, only one set of ballot material shall be admitted into the count. The Returning Officer shall decide which set of ballot material is to be rejected.
- 23.15. The Returning Officer shall note on the ballot material that it has been rejected and the reason for the rejection and set it aside for separate custody.
- 23.16. When the Returning Officer has determined which declaration envelopes are accepted for the count, the declaration section of each envelope is detached and removed so that the envelope can no longer be identified. Each envelope shall then be opened and the ballot papers extracted to be counted.
- 23.17. Returned ballot material must be postmarked by no later than the date and time of the close of polls and can be received up to close of business on the seventh day after the election. Ballot papers received after this date shall not be admitted to the scrutiny.

Scrutiny of Ballot Papers

- 24.1. The Returning Officer shall reject as informal a ballot paper that:
- 24.1.1. does not bear the initials or other authenticating mark of the Returning Officer, and/or

- 24.1.2. has upon it any mark or writing by which the voter can be identified, and/or:
 - 24.1.3. is not marked substantially in accordance with the instructions included on the ballot paper, and/or;
 - 24.1.4. the marking is such that the intention of the voter is not clear.
- 24.2. Where, during the scrutiny, the Returning Officer is informed by a Scrutineer that the Scrutineer objects to a ballot paper being accepted or rejected, the Returning Officer shall decide whether the ballot paper is to be admitted or rejected and endorse the decision on the rear of the ballot paper.

Declaration of Results

- 25.1. The Returning Officer shall declare the result of the election by giving notice of the result in writing to the State Board, the CEO, the Sub-Branches and all candidates.
- 25.2. The Returning Officer shall present the election results at the next ASBC.
- 25.3. The Returning Officer shall, at the same time and in the same manner as when the Returning Officer declares the result of the election, shall declare the following information about the ballot:
 - 25.3.1. The total number of persons on the roll of voters;
 - 25.3.2. The total number of ballot papers issued;
 - 25.3.3. The total number of envelopes that were returned undelivered by the closing date of the ballot should a postal ballot be conducted;
 - 25.3.4. The total number of ballot papers received by the Returning Officer; and
 - 25.3.5. The total number of ballot papers rejected as informal.

BY-LAW NO 10

DUTIES AND RESPONSIBILITIES OF OFFICERS

1. President

- 1.1 The President shall preside as Chairman at all Committee Meetings of the Sub-Branch and meetings should be held as often as is necessary for the proper conduct of the business within the Sub-Branch.
- 1.2 In the event of his/her absence or if there is no Sub-Branch President or if he/she is not present within fifteen (15) minutes of the time appointed for the holding of the meeting or is unwilling to act, a Vice President shall preside as Chairman of the meeting. In the event of there being no Vice President or if he/she is not present within fifteen (15) minutes of the time appointed for the holding of the meeting or is unwilling to act, the members present and entitled to vote shall elect one of the members to be Chairman of the meeting.
- 1.3 The Immediate Past President and Vice President(s) shall assist the President in undertaking his/her duties.

2. Secretary

- 2.1 The Secretary shall:
 - (a) advise the Chief Executive Officer of the names, addresses and occupations of the office bearers of the Sub-Branch, in such form as may be required by the State Branch and of any changes thereof;
 - (b) forward to the Chief Executive Officer within twenty-eight (28) days after the holding of the Annual General Meeting, the audited Balance Sheet of the Sub-Branch as at the last day of the financial year preceding such Annual General Meeting;
 - (c) each month forward to the State Branch so as to reach the Chief Executive Officer by the tenth (10) day of that month, a Capitation Payment schedule, as directed by the State Board detailing capitation payments received during the preceding month together with the amount of capitation due
 - (d) convene and attend at all meetings of the Sub-Branch and of the Committee;
 - (e) keep or cause to be kept minutes of the resolutions and proceedings of such meetings in a record kept for that purpose;
 - (f) conduct the correspondence and generally attend to the administrative work in connection with the Sub-Branch; and
 - (g) perform such other duties as the Committee may from time to time direct.

3. Treasurer

3.1 The Treasurer shall:

- (a) receive all subscriptions and keep correct accounts and records showing such receipt;
- (b) maintain the books of account and the particulars usually shown in such accounts;
- (c) pay all accounts;
- (d) generally look after the financial affairs of the Sub-Branch under the direction of the Committee;
- (e) be responsible for supervising the catering and all expenses incurred in relation therein;
- (f) produce the bank statement at each General Meeting of the Sub-Branch;
- (g) forthwith pay all moneys received by him/her on behalf of the Sub-Branch into a banking account established in the name of the Sub-Branch; and
- (h) perform such other duties as the Committee may from time to time direct.

4. Public Officer

4.1 The Sub-Branch shall appoint a Public Officer pursuant to the provisions of the Act and shall notify the Office of Consumer and Business Affairs in such form as may be required by that Act, of the name and address of the person so appointed. Any change to the appointment shall be notified within the time period prescribed by the Act.

5. Disqualification of Committee Members

5.1 If any officer or member of the Committee shall:

- (a) without leave of absence granted by the Committee absent himself/herself from three (3) consecutive meetings thereof; or
- (b) resign his/her Committee appointment; or
- (c) for any reason cease to be a member of the League; or
- (d) be included in that class of person specified by the Act as not to be members of a Committee; or
- (e) die whilst in office,

He/she shall be deemed to have vacated his/her office whereon the Committee shall declare such office vacant and act in accordance with Sub-Branch Rule 22.7.



BY-LAW NUMBER TWELVE (N12)

USE OF THE RSL BRAND

OF

THE RETURNED & SERVICES LEAGUE OF

AUSTRALIA (SA BRANCH) INCORPORATED

Motto: The Price of Liberty is Eternal Vigilance

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USE OF THE RSL BRAND

1. Introduction

- 1.1. The use of the RSL Brand including its Badges and Banners are administered under the guidelines and Rules of RSL Australia. In particular, [RSL Australia By-Law Seven \(7\)](#).

2. Licence of the RSL Brand

- 2.1. RSL Australia has licensed State Branch for the use of the RSL Brand in accordance with [Clause One of RSL National By-Law Seven \(7\)](#).
- 2.2. This includes all actions related to:
 - 2.2.1. Licence Agreements;
 - 2.2.2. Licence Fees;
 - 2.2.3. Distribution Fees; and
 - 2.2.4. Enforcement Rights.
- 2.3. The process for such actions are outlined in [RSL National By-Law Seven](#).

3. Approval for the use of the RSL Brand

- 3.1. RSL brands may only be used for a purpose aligned with the RSL objects and in accordance with the Rules.
- 3.2. Approval for the use by a third party of the RSL Brand shall only be granted by State Branch or RSL Australia. Applications for approval shall be made in writing to State Branch by a Sub-Branch.
- 3.3. The policy relating to the use of the RSL Brand is detailed in the RSL Brand Guidelines. Policy interpretation or confirmation regarding the use of the brand should be sort from State Office in the first instance.

4. Breaches of use of the RSL Brand

- 4.1. Where breaches of the use of the RSL Brand becomes known, State Branch shall take action in accordance with the Brand Guidelines.

5. RSL Badges and Banners

- 5.1. All RSL Badges and Banners are owned by the League. The specifications for the design and use of the badge and banner are detailed in the [RSL Australia By-Law Seven \(7\)](#).

6. Bibliography

- 6.1. RSL Australia, National By-Laws 7, Brands, enacted 7 June 2016, Amended 24 July 2020, [https://static1.squarespace.com/static/60f73b60d409bc52365ea138/t/610869c95bc6b55da8df23a0/1627941323806/RSL+National+By-Laws+-+adopted+7+June+2016+\(incl+AL+06\).pdf](https://static1.squarespace.com/static/60f73b60d409bc52365ea138/t/610869c95bc6b55da8df23a0/1627941323806/RSL+National+By-Laws+-+adopted+7+June+2016+(incl+AL+06).pdf)

BY-LAW NO 20

CODE OF ETHICS (Rule 4 refers)

1. That RSL Entitlements Officers, Welfare Officers, Case Officers, Advocates and any members of the League will:
 - (a) give full, accurate, truthful and relevant information to veterans and their families in relation to claims, appeals and applications for other benefits, including an assessment of the likelihood of success;
 - (b) encourage veterans, their families and others to give full, accurate, truthful and relevant information when applying for benefits;
 - (c) allow the veteran, spouse, or family member to make the decision to apply for benefits or to lodge an appeal;
 - (d) ensure that all contact with members of the veteran community, staff or government agencies, providers of services and general community is conducted in a professional manner;
 - (e) ensure that all available relevant details and documents are submitted with claims and applications for benefits;
 - (f) only undertake work to the level at which they have been trained and have demonstrated competence;
 - (g) maintain and expand their knowledge base by further training and by seeking advice from the Department of Veterans' Affairs, staff of government agencies or other service providers;
 - (h) abide by the provisions of the Freedom of Information Act when seeking documents from government agencies;
 - (i) keep personal information secure and not disclose such information to others without express consent;
 - (j) promote the interests of the veteran community by communicating openly and honestly with the Department of Veterans' Affairs staff of government agencies or other service providers and by complying promptly with proper requests for information; and
 - (k) provide their services without any fees, charges or gratuity.
2. All members elected to executive positions within a Sub-Branch are to act in an ethical manner and in accordance with the Rules and By-Laws and/or government regulations.

BY-LAW NO 21

PRIVACY ACT

1. The RSL is subject to the Privacy Act.
2. The following procedure is to be complied with in respect of all new applications for Service Membership.
3. All Applications for Service Membership are to incorporate a Consent and Privacy Statement.
4. At Annex A is the Privacy Statement of the Returned & Services League of Australia.

THE RETURNED & SERVICES LEAGUE OF AUSTRALIA

PRIVACY STATEMENT

We recognise the importance of your privacy and are committed to protecting personal information about you which we hold. This privacy policy describes how we manage your personal information and safeguard your privacy.

1. Collecting personal information about you

We only collect personal information that is necessary for us to perform our functions and which is provided by you in your application for Service Membership and/or in any request you make for other services.

The kinds of personal information we collect and hold about you will depend upon the type of services requested. However, it may include:

- Information you give us when you apply for membership or request a service from us;
- Information you give us when you apply to become a volunteer or staff member (for example, information about you received from the referees which you nominate); and
- Communications between us and you.

We also collect some information from you when you use our National or State Branch Office websites. The only personal information which we collect about you when you use our website is what you tell us about yourself, for example, by completing an online form or by sending us an email. We will record your email address if you send us an email.

2. Using and disclosing your personal information.

Information provided by you will only be used in respect of assisting us to obtain the particular service for which you have requested.

We respect your privacy. We will only use or disclose your personal information for the purpose for which you provided it to us, unless we have your consent or it is required or authorised by law.

We may disclose your personal information to:

- Organisations to whom we outsource functions, such as information technology functions;
- Otherwise as you have consented; and
- Otherwise as required or authorised by law.

3. Access to your personal information

In most cases, you can gain access to personal information that we hold about you. All requests for access to your personal information will be handled by our privacy access officer who can be contacted through your relevant RSL State Secretary or Chief Executive Officer.

We will deal with all requests for access to personal information as quickly as possible. Requests for a large amount of information, or information which is not currently in use, may require further time before a response can be given. In some cases, consistently with the National Privacy Principles, we may refuse to give you access to personal information we hold about you. This includes circumstances where giving you access:

- would have an unreasonable impact on other people's privacy;
- would prejudice negotiations we are having with you;
- would prejudice an investigation of unlawful activity; or
- would prejudice activities carried out by, or for, a law enforcement agency.

If we refuse to give you access we will provide you with reasons for our refusal.

Generally, if you request us to do so we will amend any personal information about you held by us which is inaccurate, incomplete or out of date. If we disagree with you about the accuracy completeness or currency of a record of your personal information held by us, we will take reasonable steps to associate with that record a statement to the effect that you claim this to be the case, if you request us to do so.

4. What to do if you would like more information about the way we manage personal information or wish to complain about a breach of your privacy.

You can get more information about the way we manage personal information about you which we hold by contacting your RSL State Secretary or Chief Executive Officer.

If you are concerned that we may have breached your privacy and wish to make a complaint, please contact your RSL State Secretary or Chief Executive Officer.

5. Changes to our privacy policy

From time to time it may be necessary for us to review and revise our privacy policy. We reserve the right to change our privacy policy at any time.

We may notify you about changes to this privacy policy by posting an updated version on our website.

BY-LAW NO 24

APPLICATION OF INCOME AND PROPERTY (Rule 6 refers)

1. The total amount expended by a Sub-Branch on donations, sponsorships and grants, in any one year is not to exceed ten per centum (10%) of the net assets of the Sub- Branch, or the amount raised in that year, whichever is the greater, without the prior approval of State Board.