



**THE ROYAL CANADIAN LEGION  
ONTARIO COMMAND  
OFFICERS' MANUAL**

**89 INDUSTRIAL PARKWAY NORTH  
AURORA, ONTARIO  
L4G 4C4**

**PHONE: 905-841-7999  
FAX: 905-841-9992**

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## **PREFACE**

The contents of this manual provide a guideline to all resources currently available to Legion members.

Any amendments to the above mentioned documents will automatically supersede the contents of this manual.

Masculine words shall import the feminine.

The Legion Officers' Manual attempts to clarify By-Laws and articulate policy to all levels of Ontario Provincial Command.

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## DID YOU KNOW THAT.....?

- Each district has District Branch Advisors who will assist your branch with branch operations and branch finances. A request for this assistance should be made by way of a motion from the Branch Executive Committee to the Zone Commander. In some cases the district officers may initiate branch advisory assistance to a branch without a direct request from the branch, when the assistance is deemed necessary to the continued operations of the branch.
- Branches are required to establish a financial review committee to examine the accounts of the branch and file a report within 3 months following the end of the fiscal year. Many branches assume that the preparation of the statements under a review engagement meets this requirement but the financial review committee should be doing regular reviews to ensure that the financial operations are on track (paper trail review). The members of the financial review committee do not have to be chartered accountants. They cannot be members of the executive or employees of the Legion. Order both the “Branch Advisory Manual, item # E33111” and the Financial Review Committee Guidelines for more information on the role of the Financial Review Committees and financial control information.
- Ontario Command has a zero tolerance policy with respect to the theft of Legion funds, trust funds or property and the police should be involved if there is proof of criminal wrongdoing.
- The branch financial statements must be provided to your Zone Commander at the time of the yearly branch inspection and these forms are to be sent to the Command office with the Zone Commander’s report form.
- Zone Commanders should submit the branch inspection report to their District Commander within **7 days of the visit** and the report should be submitted no later than **January 15th** to the Command office.
- Zone Commanders are required to verify that the branch liquor license has not expired, that the branch has adequate insurance to cover loss or damage to property and claims against the branch relating to the property, the liquor license and decisions of the executive (D&O insurance). They should also verify that the PST, HST and source deductions (government remittances) are current at the time of the inspection. **NOTE: Directors and Officers Liability Insurance is mandatory for all branches.**
- Cheques issued by the branch must always bear the signature of two of the authorized signing officers and they cannot be related by blood, law or common-law relationship. A signing officer must never sign a blank cheque.
- While it is recognized that officers of the branch may wear more than one hat, for control purposes the positions of the President, Vice-Presidents, Treasurer and Secretary, Secretary/Treasurer of the branch should be separate and distinct and no one person should occupy more than one of these elected or appointed positions.
- Ontario Command has endorsed a program for insurance for Legion branches to cover property, general liability and hospitality through Programmed Insurance Brokers, Inc. Branches are not obliged to secure their insurance through this program. The following is the contact information for Programmed Insurance Brokers, Inc.: 49 Industrial Drive, Elmira, Ontario, N3B 3B1, Phone: 1-519-669-1631 or toll free: 1-800-265-6197 and Fax: 1-519-669-4752.
- Graphic license plates bearing the Legion crest are available at local MTO licensing offices.

- There are legitimate ways to access lottery proceeds but many branches fail to take advantage of this. Ontario Command meets regularly with officials at the Alcohol and Gaming Commission and *the use of more than 2% policy* and *the building fund policy* both evolved as a result of these meetings. For more information, check out the ‘Lottery’ section of this manual.
- Branches may apply to their municipalities for tax relief under Section 6.1 (1) of the Assessment Act and the upper tier or single tier municipalities have the flexibility to rebate up to 100 per cent of the property taxes, including the education portion. Failing this, the branch should apply for an exemption (for up to 10 years) from the municipal portion of the taxes under Section 6.1 (2) of the Assessment Act.
- Ontario Command has established a property committee to review branch requests relating to borrowing, selling, purchasing and leasing of property .
- The addresses for the Dominion and Ontario Command web sites are [www.legion.ca](http://www.legion.ca) and [www.on.legion.ca](http://www.on.legion.ca) , respectively.
- Dominion Command has made it possible for Legion branches and members to shop on line at [www.shop.legion.ca](http://www.shop.legion.ca).
- Dominion Command contact information is as follows:

83 Aird Street  
 Ottawa, Ontario K2L OA1

Phone	-	613-591-3335
Fax	-	613-591-9335
Supply toll free	-	1-888-301-2257 & 2268
Supply Fax	-	613-591-8462
Legion Magazine phone	-	613-591-0116
Legion Magazine fax	-	613-591-0146
Service Bureau toll free	-	1-888-453-4466

- Branches and Legion members are not permitted to make policy statements on behalf of the Legion on matters of national import. This includes statements to the press or letters to the Minister of Veterans Affairs, etc., on policy relating to veterans. The reason for this is that the Legion must advocate with ‘one voice’ and the policies and priorities are established through convention. The message becomes inconsistent and diluted if it comes from several different sources with several different slants.
- Ontario Command’s per capita tax is reviewed yearly and your officers have consistently attempted to cut costs and increase revenues where possible. The license plate program and the administrative fee related to the BOT one-supplier system have generated additional income for the command which will diminish the need for further increases in the near future.
- The Legion Magazine produces 6 issues per year.
- The continued strength of this organization and our ability to continue valued programs depends on membership. Each branch should have a membership committee. One person is not enough to ensure renewals, new recruitment, submissions of per capita, etc. See the “Membership Manual” for valuable information to assist the Membership Chairman in fulfilling his duties.

- Members often do not renew their membership because they feel slighted that no one from the branch has phoned or written during times of illness, bereavement, etc. The branch can overcome this through formalizing a phoning committee to periodically check on the well-being of members, especially when they have failed to renew.
- Branch Membership Chairmen may request a complete list of branch addresses from Dominion Command for a nominal fee. The list must be used for membership purposes only.
- All new members must be initiated to be in good standing.
- New members who join after June 30<sup>th</sup> pay one-half of the per capita tax and new members who join after August 31<sup>st</sup> pay one-third of the per capita.
- A 'Branch Honorary Patron Award' is for civic leaders, etc., It is not a category of membership and per capita dues are not therefore required.
- The Ladies' Auxiliaries are eligible to participate in the 'Bulletin and Scrapbook' contests.
- The deadline date for Bursary applications to be received in the Command office is the last Friday in March in any given year.
- The deadline date for Charitable Foundation applications to be received in the Command office is the last Friday in April in any given year.
- Under an agreement with VAC, Dominion Command coordinates a Legion Surveyors program. Veterans in nursing homes are visited to monitor that they are receiving adequate care and to identify problems which may exist. The surveyors are volunteers but receive a nominal amount for each visit and are reimbursed for expenses. Inquiries relating to the program and volunteers interested in the project may contact the Director of Service Bureau at Dominion Command for more information. There is currently a shortage of surveyors in some areas.
- Through a joint venture with the Ministry of Health, Long Term Care and Ontario Command, nursing home administrators have been asked to identify Veterans living in their homes to ensure that they receive all available benefits from VAC and that the Legion can provide some of the comforts and supports it has traditionally provided to Veterans in the contract facilities;
- The property committee frequently refers leases, agreements of purchase and sale, etc., to our consultant, David MacDonald, located in Charlottetown, PEI. He is currently providing assistance through Ontario Command to several Ontario branches that are trying to develop Legion Seniors Housing projects.
- A new Veterans Charter was passed in May 2005. It generally applies to Veterans who have served post April 1, 1947 but it does not include WWII or Veterans of the Korean War. The new charter provides eligible members with lump sum compensation awards, or Veterans may opt for other payment awards, job placement assistance, medical and vocational rehabilitation, and some new income programs. There are defined timelines for application unless the needs relate to a pensioned condition. Contact VAC at 1-866-522-2122. You may also wish to check the VAC web site at [www.vac-acc.gc.ca](http://www.vac-acc.gc.ca) for more information.
- The RCL Public Relations Manual and Speakers Guide is available for Branch PR officers (item 700315). This is highly recommended for all PRO's. Also recommended is the 2008 update of Legion Magazine SNAPSHOTS – Guidelines for submitting Photos and News to Legion Magazine. The web site address for the Legion Magazine is [www.legionmagazine.com](http://www.legionmagazine.com) and you can email the magazine at [magazine@legion.ca](mailto:magazine@legion.ca).

- Ontario Command produces an information circular to the branches annually. It includes reports from your senior officers and provincial chairmen and is intended to be a vehicle for keeping all Command members informed.
- **The Legion is a non-profit organization. It is not a registered charity. Branches often ask if donations for the general operations and upkeep of the branch are tax deductible. The answer is no and tax deductible receipts may not be issued for general donations.**
- The mentoring of new members by a friendly and experienced branch member is one way to make new members feel welcome and to educate them about the Legion and its programs.
- The Ladies' Auxiliaries have been permitted to obtain a lottery license on the basis that they are separate entities and their donations must be in accordance with the license issued. These funds are not available to the branches for any purpose and to do otherwise could jeopardize the separate entity status of the LA.
- LA members may also wear their berets at funeral services, church services and parades.
- Branches should maintain a mail slot (or other system) for their Ladies' Auxiliary to ensure that mail directed to the branch address for the Ladies' Auxiliary is properly directed and received by the LA. LA mail should not be opened by the branch.
- The General By-Laws requires joint meetings of the executives of the branch and the LA at least twice a year. The intent of these meetings is to share information and resolve issues that affect either organization. This meeting should be thought out in advance with both sides offering items for discussion for the development of a prepared agenda. Our appreciation for the LA's contribution to the Legion can never be adequately expressed and mutual respect is the cornerstone of this relationship.
- The primary purpose of Poppy Trust Funds is to assist Veterans (section 1104) and their dependants with emergency needs. These needs ordinarily relate to health, shelter, food and clothing and the Veteran/dependant must be in necessitous circumstances. It is important to make sure that other programs are not available before providing the assistance and requests for medical equipment, such as wheelchairs, scooters, etc., should be made through a VAC counsellor so that appropriate assessments are done to ensure the medical need and safe operation of the equipment.
- Vietnam Veterans, as defined in section 205.h of the General By-Laws, now qualify for Poppy assistance for emergency needs, provided that necessitous circumstances apply.
- One of the signing officers of the Poppy Trust Fund account must be the Poppy Chairman.
- Poppy distribution may begin on the last Friday in October and not before.
- Branches that employ staff must ensure they comply with the laws affecting employees (source deductions, health and safety, employment standards, etc.). The best advice is the advice you receive directly from the pertinent government department and getting information in writing, where possible, protects the branch. Some issues require expert advice and knowing when to consult a lawyer, professional, etc., can save the branch a lot of hardship and expense down the road. For addresses for employment standards office, check out the 'Employment Standards Act' section of this manual.
- The sensitivity with which the branch handles the death of a Veteran or member can determine whether the family members continue their memberships. Has your branch formalized a process for assisting the family when the call is received? Does your branch routinely provide Legion presence on the death of a Veteran or member or is it just an ad hoc

process that may or may not adequately respond to the situation? Many complaints that come to Command deal precisely with this issue.

**Note** The *Did you know that* section of this manual is provided to highlight certain information that *may* also be available in other sections of the manual.

## **THE BRANCH**

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

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

No branch may, without the consent in writing of the Provincial Command having jurisdiction over the branch, hypothecate, mortgage, pledge, lease, sell, convey or otherwise dispose of its real or personal property, except in the ordinary and usual course of its activities. A Notice of Motion, so resolved by a two-thirds majority vote of the members of the Branch, in good standing, present and voting – Section 11 (2) of the Act to Incorporate. Ten (10) days notice in writing by mail to all members in good standing is required - The Royal Canadian Legion Act 1990.

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

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

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

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

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

1. (1) Despite any other general or special Act, no branch of the Legion may mortgage, lease or convey real property unless,
  - a) It is authorized by resolution passed by a two-thirds majority vote of the members of the branch in good standing who are present and vote at a special or general meeting of the branch; and

- b) The consent in writing of the Ontario Provincial Command or the Manitoba and Northwestern Ontario Provincial Command, as applicable, is first obtained.
- (2) Notice of the meeting under clause (1) (a) shall be given to members in good standing by mailing it to the last known address of the member at least ten days before the meeting.
- 2. (1) If the charter of the Provincial Command of the Legion is revoked or suspended, the Dominion Command of the Legion may register in the proper registry or land titles office a certificate, signed by the president and secretary under the seal of the Dominion Command, stating that the charter of the Provincial Command has been revoked or suspended.
- (2) Upon the registration of the certificate under subsection (1), the real property held in the name of the Provincial Command vests in the Dominion Command.
- (3) A certificate registered under subsection (1) shall contain a reference to this Act.
- 3. The Royal Canadian Legion Act, 1975, being chapter 24, is repealed.
- 4. This Act comes into force on the day it receives Royal Assent.
- 5. The short title of this Act is The Royal Canadian Legion Act, 1990.

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

### **General**

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

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

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

## **Signage**

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

## **Letterheads and Printed Products**

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

## **Regalia**

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

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

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

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

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

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

## **The Poppy Symbol Trademark**

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

unique to the Command or the branch, are to be forwarded to the Secretary of the Poppy and Remembrance Committee, Dominion Command.

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

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

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

### **Further Information**

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

No branch may become incorporated under the laws of Canada or any Province or cause a corporation to be formed for the purpose of holding or administering any of its property - Section 122.a of the General By-Laws.

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

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

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

*Upon the surrender of a Branch Charter, all property and finances will be vested to the command. A branch may apply to the Administrative Committee of Ontario Command for any or all of the surplus remaining, after all debts and liabilities have been satisfied, to be used to benefit the community in which the Branch is located. – Section 929 (2) of the Provincial By-Laws.*

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

The channel of communication shall be from the member to the branch and from the branch through its Command. - Section 110 of the General By-Laws.

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

All changes of Legion policy and administrative procedures resulting from resolutions passed or By-Law amendments enacted by conventions shall unless otherwise specified, by By-Law and presented to convention for approval, take effect on the first day of October following the convention - Section 921 of the General By-Laws.

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

### **Organized Groups within Branches**

Branch Regulations may provide for the formation of organized groups within the Branch providing they are administered by the Branch Officers and the funds are administered by the Branch Treasurer - Section 615 of the General By-Laws.

The formation of organizations within a branch and the control of them are determined by the General By-Laws for Branches Section 710 and as provided for in the Branch Regulations.

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

The only legal entity is the branch. Any other entity is prohibited by the General By-Laws.

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

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

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

All branch officers, elected or appointed, shall have the right to vote at branch executive meetings Section 111.c of the General By-Laws.

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### **Branch By-Laws**

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

Branches must create Regulations that are specific to their branch, such as: Term of office, date and time of general meetings, date and time of annual/biannual elections, quorums, etc.

### **Branch Regulations**

Branch Regulations become effective once approved at a branch general meeting. The General By-Laws of The Royal Canadian Legion and that of the Ontario Provincial Command and any amendments to same, automatically supersede Branch Regulations.

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

**Amendments to Branch Regulations** - A notice of motion, so resolved by a two-third majority vote of the members of the Branch in good standing, present and voting.

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

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

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

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

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

The Committee will return its comments to Provincial Command recommending:

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

Provincial Command will advise the branch of the committee's comments, as noted in items # 1 through #3 above, and take the following actions:

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

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

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

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

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

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

### **Simple Majority Carries Amendments**

Sometimes confusion arises when a two-thirds vote is required for the approval of a Regulation change. Members ask whether an amendment to a Regulation change motion also requires a two-thirds vote. The answer is NO. Amendments are simply attempts to improve the motion, or to divide it. It is only the main motion, as originally made, or as amended, to which a two-thirds rule applies.

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

Branch By-Laws require a member to serve one term on the Executive Committee to be eligible for the office of President, Vice-President or Chairman and be a member of the branch for one year to be eligible to be elected to the Executive Committee - Section 403 of the General By-Laws for Branches.

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

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

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### **Notice of Branch Meetings**

Requires branches to mail notices of general meetings to each member at least seven (7) days prior to meeting date, except where a branch has determined general meeting dates by a Command approved Regulation. Notice of a Branch General Meeting contained in the Branch Bulletin will

suffice. For mortgaging, leasing or conveying property, a notice of motion is required. It must be mailed to all members in good standing at least 10 days prior to the meeting at which the matter is discussed.

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### **Appointments to the Executive Committee**

Although Branch By-Laws require that a member must be a paid-up member in the branch for the year in which the election is held and have held membership in the Branch for a period of one year prior to the date of the election meeting, in order to qualify for election to the Branch Executive Committee, there is no provision in the General By-Laws to prohibit a paid-up member of the Branch with less than one year of service in the branch from being appointed to the Executive Committee, i.e. Chairman of a Standing Committee or to complete an unfinished term caused by resignation, death, etc. This would also apply to the position of Vice-President.

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

### **Appointment/Election Standing Committee Chairmen**

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

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

### **Note**

The Veterans Services Committee and the Legion Seniors Committee amalgamated at the provincial level in 2003 and most districts have also amalgamated the two committees. At the branch level, a separate Chairman for each committee is required to ensure sufficient direction and resources to deliver both programs.

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### **Convention**

Any delegate, accredited by the branch of which he is a member, may carry, in addition to his own credentials, up to four proxy votes from the branch of which he is a member, or any other branch or branches within the Command. A delegate may also be a member of another branch within Ontario Command but may not carry proxies - Section 317 of the Provincial By-Laws.

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## **Financial Review**

The financial year of the Branch shall be June 1st to May 31st.

The books of the Branch shall be reviewed at the end of the financial year by a Financial Review Committee, who has/have been appointed and then approved by a general meeting of the Branch.

Section 617 of the General By-Laws of The Royal Canadian Legion specifies that a branch must have a Financial Review Committee to examine the accounts of the branch. The Financial Review Committee need not be chartered accountants and may or may not be members but shall not be members of the executive or employees of the branch. The Financial Review Committee plays an important role in the financial operations and controls within the branch.

The financial statement shall be presented by the Financial Review Committee or the Treasurer to the Executive Committee, within 90 days after the end of the fiscal year and then to the next General Meeting of the branch for approval – Section 922 (3) of the Provincial By-Laws.

All branches shall submit to Ontario Command, through the Zone Commander at the time of his annual visit, the financial statement for the branch for the most recent fiscal year.

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## **Resolutions**

The General By-Laws provides the authority for a Branch, Command Committee and Command to submit resolutions to convention.

The Committee on Resolutions shall not be required to consider any resolution received by Command after January 15th of the convention year. Resolutions received after January 15th of the convention year, shall be referred to the respective Provincial Committee for consideration and subsequent approval, or otherwise, by the Administrative Committee and Provincial Executive Council. Late resolutions dealing with matters at the dominion level only, shall be referred to Dominion Command for consideration at the ensuing Dominion Convention.

All resolutions must be submitted on an official resolutions form available from Ontario Command and shall denote the name and number of the branch, the date and place of the meeting at which it was considered, and signed by the senior officer.

Resolutions considered at zone/district level, lend support to the resolution only as zones and districts are prohibited from submitting resolutions (1986) Dominion Convention. If a resolution is defeated at zone/district level, it is the responsibility of the branch to forward same to Command if it wishes the resolution to go forward for consideration by committee.

Where a resolution is applicable to the work of a Standing Committee, it shall be referred to that committee for its consideration and recommendation where possible and then referred to the Provincial Executive Council. Resolutions that have not been referred to the Provincial Executive

Council (because they have been received too late to submit to PEC) will be referred to a Convention Resolutions Committee at the Command level.

Resolutions with similar intent may be combined into one composite resolution for consideration by the convention.

Resolutions which make no sense (because the premise does not support the conclusion) or which lack clarity or meaning, will be referred back to the branch.

### **Installation of Officers**

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

The installation ceremony is to be performed by an installation team comprised of members of The Royal Canadian Legion upon invitation by a branch and that branches shall advise the Zone Commander of the date and time of such ceremonies - 1979 Convention.

The Provincial Convention (1971) has directed that the installation ceremonies are not the responsibility of the senior elected officers. The District/Zone Commanders hold this responsibility but in their absence, the ceremonies may be conducted by a committee of the Branch Past Presidents or a Branch Installation Team.

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### **Branch Visitation**

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

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### **Manuals**

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

### **Branch - Name Change**

Notice of Motion to the General Membership – copies of the Notice of Motion, minutes at which the notice of motion was presented, minutes at which the notice of motion was approved, with approval to the Command Office. Two Third majority is required.

## **Dress Regulations – Legion Branches**

Branches are considered to be private clubs and they can therefore make their own rules governing access, conduct and dress of members and their guests while they are on branch premises; however, Branch clubhouse rules or in-house policies that deny entry to members and guests because of their religious obligation to wear a particular head covering contravene the laws of Canada and Section 109. b of the General By-Laws.

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

## **Policy Statements**

Branch Officers and members are reminded that they are not to make public statements regarding Legion policy, without the prior approval of the appropriate Command, on matters of a provincial or national nature - Section 104 of the General By-Laws.

## **Policy – Remembrance Day Ceremonies**

It is the Legion's position that Remembrance Day Ceremonies are held to honour those Canadians who paid the supreme sacrifice in any conflict in which Canada was officially engaged and under no circumstances should these occasions be used by any organization seeking publicity, platform for protest or recognition of other grounds.

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

Where the Legion controls the parades associated with Remembrance Day Ceremonies, it is generally not considered appropriate for non-Canadian organizations to march as a group. Traditionally, Canadian Veterans' groups that participate in these ceremonies do so because of their association with those who served with and/or within Canada's forces.

## **BRANCH OFFICERS**

### **PRESIDENT**

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

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

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

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

It is his responsibility to ensure that the branch is represented at Zone and District conventions with its full complement of delegates.

If the branch does not have an elected chairman, the President, by virtue of his office, is the presiding officer at all of its meetings.

The President shall preside at all meetings and enforce order and strict observance of the By-Laws, except that the Executive Committee may name some other member to act as chairman for the conduct of elections at the annual meeting. The President shall exercise a general supervision and control over the officers and business of the branch and shall call meetings of the Executive Committee or of the Branch, in accordance with the By-Laws. He shall transact such other business as may by custom pertain to his office, and he shall have the casting vote when there shall be an equal division on any question, provided that he has not already voted on that question.

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

### **IMMEDIATE PAST PRESIDENT**

1. The person who is President of any branch of the Legion at the end of the elective term shall become the Immediate Past President on the election of his successor – Section 114.a of the General By-Laws.

2. A president who resigns before the term of office is completed is not the immediate past president – Section 114.b of the General By-Laws. **Note:** A resignation nullifies any claim to the position of the Immediate Past President, even though he may have served two or more consecutive terms in office.
3. In the event of the death, resignation or inability to act, or removal of the immediate past president, the position of immediate past president may be filled for the remainder of the term by the appointment of a former president by the branch executive – Section 114.c of the General By-Laws.

### **VICE-PRESIDENT(S)**

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

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

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

- (a) attend committee meetings;
- (b) chair a meeting(s) of the branch in the absence of the President;
- (c) have knowledge of the Ritual and Insignia Manual, the General By-Laws, Branch By-Laws and Regulations, Legion Officers' Manual, etc;
- (d) assist the President and understudy him in all his functions;
- (e) be a zone or district delegate;
- (f) train for the office of president.

### **EXECUTIVE COMMITTEE**

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

The Executive Committee has the authority to add to its number or fill by appointment, any casual vacancy which may occur on the Executive Committee by motion at a meeting, subject to the approval of the branch at its next general meeting (Section 510 Provincial By-Laws).

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

Ladies' Auxiliary members employed by a branch may, at the discretion of the branch or command hold office in the Auxiliary – Section 112.c of the General By-Laws.

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

An "Honorarium" is considered to be a payment or reward for past services rendered and as "rendered" is in the past tense or after the fact, any payment for services on a weekly or monthly basis shall be construed to be a "Salary", and the recipient in question is ineligible to hold any executive position in the Legion. It is considered to be taxable income under the Income Tax Act.

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

An Executive Committee member by virtue of his office is expected to accept an appointment as a Committee Chairman.

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

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

- 1) To meet at least once per month on a day to be fixed by general consent or at the call of the chairman, to discuss and conduct the general affairs of the branch.
- 2) To enforce the By-Laws and Regulations and make rules, that are not inconsistent with Dominion and Provincial By-Laws, for the efficient operation of the branch, and to govern the general conduct of members and their guests while on branch premises.

- 3) To authorize the payment of liabilities and expenses of the branch, such as, rent, salaries, taxes, utilities, insurances, and to provide the necessary services required for its business operation.
- 4) To attend to the welfare of the members.
- 5) To exercise complete autonomy over the business operation of the licensed premises insofar as the Regulations of the Liquor License Act may permit.
- 6) To appoint or dismiss any salaried officer or employee in accordance with the Employment Standards and Labour Acts of Ontario.
- 7) To ensure that government payroll/source deductions are deducted and remitted for all employees and that no payments subject to source deductions are made without the appropriate deductions and that all such income is reported on the annual T4's issued.
- 8) The Branch Treasurer/Executive Committee should have a general knowledge of the Workplace Safety and Insurance Board requirements (WSIB), Liquor License Regulations, Employment Standards and Labour Acts, HST, Employer Health Act, C.P.P. and Income Tax Act, Goods and Services Tax, Insurances, Payroll Records, the Retention of Records, Employee-Employer Benefit Plan, Occupational Health and Safety Act, etc.
- 9) To ensure that a job description (duties and responsibilities) of each position in the branch is on file - Copy to all employees.
- 10) To delegate powers to sub-committees and to define the duties of such committees.
- 11) To recommend, when necessary, the borrowing of money on behalf of and for the specific use of the branch, subject to approval by a general meeting. Whenever a major expenditure such as construction, renovations, etc., is considered, all members are to be advised of same by notice of motion, the date of the meeting and the business for said meeting.
- 12) To promote social functions for the entertainment of the members and guests.
- 13) To ensure that the annual Poppy Campaign is well organized by the chairman and his committee and that all expenditures from the Poppy Trust Account are within the guidelines of the General By-Laws.
- 14) To raise funds for the assistance of veterans and to provide for the administration of the Legion at all levels of Command.
- 15) To organize, support and participate in programs that will promote and uphold the aims and objects of The Royal Canadian Legion.
- 16) To ensure that the Financial Review Committee are appointed following the annual meeting of the branch, subject to the approved by the general body.

- 17) Any expenditure other than normal operating expenses in excess of \$1,000.00 shall be referred to the Branch Executive Committee for its recommendation to the next general meeting, prior to any commitment for such expenditure being made by the branch.
- 18) To ensure, on an ongoing basis, that the branch has adequate Fire (Replacement Costs), Liability, Theft, Burglary, Inventory and Directors and Officers Insurance, etc., to meet today's costs.
- 19) To perform such other acts and duties as are implied or expressed by the General By-Laws of The Royal Canadian Legion.
- 20) Committee appointments are subject to the approval of the general membership.

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

### **SECRETARY**

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

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

All correspondence received is drawn to the attention of the President, Committee Chairmen, appropriate officer or placed on the Executive agenda file.

Communicate with the President and keep the officers informed of branch business.

He will be required by Branch Regulations, to notify each member by mail at least seven (7) days prior to the date of the general meeting, unless otherwise provided for by Branch Regulations. (10 days Notice if mortgaging, leasing or conveying of real property of the branch is to be discussed).

Be familiar with Branch By-Laws, Branch Regulations, Provincial and Dominion By-Laws to the extent that he can turn to any given section for reference. The Secretary should prepare a written agenda and review same with the President prior to the meeting.

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

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

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

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

In cooperation with the branch Membership Chairman, maintains a proper index system of the branch membership.

The secretary carries out his duties in accordance with the wishes of the Executive Committee. He is the scribe, the organizer and the coordinator of the branch.

## **TREASURER**

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

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

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

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

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

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

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

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

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

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All cheques are to be pre-numbered.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Weekly bar sheets - to be initialed by the bar committee following each inventory check-off. On completion of bar or inventory check-off, vouchers, receipts, cash register tapes, etc., should be attached to the bar sheets.

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

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

Bank deposits should be made daily, after every bar check-off or as the need arises.

Lottery Income, etc. - Income Trust accounts of this nature should be reconciled on an ongoing basis.

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

The Sergeant-at-Arms may be appointed by the Executive Committee or elected by the general membership of the branch. He is not a member of the branch executive committee by the authority of office, unless the Branch permits such appointment or, policy and procedure manual states otherwise.

His responsibilities include that of assisting the President in maintaining order during the meeting; ensuring that only those eligible are permitted to attend the meetings; being responsible for the colours and branch insignia, ceremonial duties and to perform other duties assigned to him by the President.

At the ceremony of installation, he conducts the recently elected officers and committee members to a place in front of the installing officer and conducts the newly enrolled members at the ceremony of initiation.

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

## **BRANCH MEETINGS**

### **Quorum**

A Branch shall, by Branch Regulations, establish a quorum for a general meeting.

The rules of procedure state that the chairman or presiding officer will determine if a quorum is present.

Quorum means a minimum number (of members) who must be present in order to legally transact business.

At any meeting, provided a quorum is present when the meeting is called to order, should the quorum be lost due to members leaving, the meeting may continue by resolution of those remaining.

This prevents a minority (of even one) from frustrating the majority by leaving in order to terminate a meeting.

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

If Branch By-Laws indicate a minimum of voting members required to hold a general meeting, the Chair is unable to call the meeting to order and no business can be transacted at any time until the required number is present. Members must recognize individual responsibility in this matter.

Branches must establish a Quorum for general meetings in Branch Regulations. – Refer to Rules of Procedures for Legion Meetings manual, for when you have a non-quorum.

### **Agenda**

The Agenda is a list of items of business to be transacted at a meeting and should be prepared by the secretary. The purpose of the Agenda is to ensure that no business is overlooked.

As a general rule, an Agenda takes the following form:

Call to Order by the Chairman

Opening Ceremony in accordance with the Ritual

Minutes of previous general, executive and of any special general meeting held since the last general meeting

Business arising from the minutes

Treasurer's Report

Motions or special business of which notice has been given

Ceremony of admission of new members

Unfinished business

Correspondence

Reports of Standing Committees

Reports of special committees

General business - welfare of the Legion or the branch

New business

Tabling of notices of motion

Motion of Adjournment

Closing Ceremonies

## **Minutes**

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

- (a) The type of meeting - i.e., regular, special or executive.
- (b) Name of organization and branch.
- (c) Time, date and place of meeting.
- (d) The names of the Presiding Officer and the Executive Committee members in attendance.

Note the names of the Executive Committee members absent and the reasons for same, if known.

- (e) Whether the minutes of the previous meeting were approved, or their reading dispensed with.
- (f) All motions "carried" should denote the names of the mover and seconder and a short resume of any discussion that took place.
- (g) Time of adjournment.

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

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

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

This booklet details the procedures for all Legion meetings and includes the duties of the Chairman, methods of voting, classification of motions, tables of rules relating to motions and the order of precedence of motions.

### **Meetings**

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

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

### **Notices of Motion**

Any item that requires a significant financial decision or is a major decision of the branch should be by way of a notice of motion. Notices of motion must be presented for the surrender of a branch charter, introduction or amendment of By-Laws, branch regulations, borrowing, leasing and the sale of property. The Chairman has the authority to defer a motion to the next meeting and to allow the presentation of a motion as a notice of motion only. The procedure is as follows:

- 1) A member presents a notice of motion at a general meeting of the branch.
- 2) The motion is not seconded or discussed.
- 3) A copy of the notice of motion is posted on the branch bulletin board (regulations and regulation amendments) and mailed to all members in good standing (surrender of charter, mortgaging, leasing and sale of property). The notice should specify what is proposed and the date and time of the General Meeting at which the motion will be discussed.
- 4) The motion is presented and seconded at the next general meeting or a Special General Meeting (which has been called and the details of which appeared in the notice mailed to the members).
- 5) A 2/3 majority is required for regulations, mortgaging, leasing, sale of property and surrender of the branch charter. An amendment to the motion does not require a 2/3 vote. It is only the main motion, as originally made or as amended, to which the 2/3 rule applies.

## **Resignations**

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

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

Where the rules for procedure at Legion meetings do not provide the necessary authority, then, "Robert's Rules of Order" will prevail.

## **Ritual and Insignia for Legion Ceremonies**

The Ritual and Insignia Manual has been designated by convention to be the official booklet of Ritual and Insignia for The Royal Canadian Legion. It establishes procedure for the opening and closing ceremonies for Legion meetings, Initiation of new members, Remembrance Day Ceremonies, Legion Funeral Service, the Installation of Officers, the Colour Party, etc. The most recent edition *in January 2011* has also incorporated information from the former 'Protocol' manual into the new manual. See also the 'Protocol' section of this manual.

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

The nomination and election of Branch Officers shall be conducted in accordance with the General By-Laws for Branches contained within the General By-Laws for Ontario Command, and Branch Regulations that have been created and reviewed by Ontario Command.

The Election Chairman shall ensure that there is a quorum in attendance prior to proceeding with the election.

The election officer shall not declare all offices vacant but shall only request that the chairs be vacated during the election process.

The Zone Commander shall be advised of the date set for the nominations and elections of each Branch within his/her jurisdiction.

### **Nominating Committee**

A nominating committee shall be charged with the responsibility of interviewing prospective candidates for election to determine if they will accept nominations to a specific office and to receive the written acceptance of the candidates for presentation to the nomination meeting.

The nominating committee may nominate candidates for each elected office and for positions on the Executive Committee. Additional nominations shall be accepted at the nomination meeting.

### **Nominations**

A member must be in good standing in order to place a name in nomination and may only nominate a voting member in good standing (current year dues must be paid).

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

Nominations do not require a seconder.

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

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

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

Prior to the close of nominations for each office, the Presiding Officer shall inform the meeting that he will issue three calls for further nominations and if none are received, he will declare the nominations closed for that particular office.

## **Note**

The General By-Laws make no provision whereby a member of a branch for more than one year, who transfers his membership to another Branch and subsequently returns to his original branch by way of transfer, shall be denied the right to contest an elected office, if so nominated. A member must be a member of the Branch for one year prior to the date of the election meeting; there is no stipulation that he must be a member for a one year period immediately prior to the election meeting.

## **Elections**

To be eligible for election, a nominee must be in attendance at the election meeting, or have signified his intention in writing, prior to the meeting, with respect to the office for which he has been nominated.

If a member signifies his intention to contest an elected office by letter, the correspondence shall not be read to the general membership until after the member in question has been nominated.

Prior to balloting for each individual office, the Election Chairman shall introduce each candidate to the meeting.

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

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

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

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

The Presiding Officer will announce the total number of ballots cast, the number of spoiled ballots and the name of the member declared elected, or, where a majority vote is required, the name(s) of the candidate(s) eliminated.

A spoiled ballot shall be one that is cast in blank, or where the name is not eligible or identifiable as one of the candidates. First names or nicknames are considered to be spoiled ballots. If ballots are provided with the title of each elected office printed thereon and the voting member marks and deposits the wrong ballot, it will be ruled to be a spoiled ballot.

The paper used as a ballot must be identified as such and made available to the Presiding Officer prior to the election.

The ballot for each office shall be distributed immediately prior to the casting of the ballot.

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

A separate and private room shall be provided for the counting of ballots and only the chief scrutineer and scrutineers shall be permitted to enter.

The chief scrutineer shall report directly to the Presiding Officer in writing, the result of each ballot. The scrutineers following this report shall then be permitted to enter the hall for the distribution and collection of the next ballot.

All counted ballots shall be delivered to the Election Chairman in a closed container following each count and all ballots shall be destroyed immediately following the conclusion of the election.

### **Voting by mail is prohibited.**

#### **Advance Polls**

A branch may by a Command reviewed branch regulation, conduct an advance poll on the date of the election. The regulation must specify the time the advance poll will commence until the election meeting commences. The General By-Laws do not provide authority to allow proxy voting at branch level.

All polling at an election meeting must be continuous and completed on the date of the election. An election meeting shall not be adjourned to the next or subsequent day to permit further balloting.

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

An up-to-date copy of the nominal roll validated by the Branch President and Secretary shall be provided to the chief scrutineer and each voting member must be checked off.

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

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

If a Branch Regulation has approved the utilization of an advance poll, nominations may not be re-opened following the closing of the nomination meeting.

If a branch has authorized the holding of an advance poll and individual ballots for each are used, a ballot must be so identified.

Where an advance poll is held, nominations **shall not** be re-opened on the night of the elections, the candidate receiving the highest number of votes is declared elected.

## ORGANIZATION – NEW BRANCHES

Section 108 of the General By-Laws specifies that there must be a minimum of 50 or more persons to form a new branch in urban areas and at least 10 persons to form a new branch in non-urban areas. These persons must be new members and cannot be members transferring from another branch in the area. A provincial command may after due investigation recommend that a branch with less than the minimum be granted a Charter under exceptional circumstances.

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

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

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

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

**THE ROYAL CANADIAN LEGION  
APPLICATION FOR CHARTER**

1. PROPOSED NAME OF BRANCH \_\_\_\_\_  
\_\_\_\_\_
2. LOCATION OF BRANCH \_\_\_\_\_  
\_\_\_\_\_
3. DATE OF ORGANIZATION MEETING \_\_\_\_\_
4. ATTACHED IS CERTIFIED COPY OF RESOLUTION AUTHORIZING THE  
FORMATION OF THE BRANCH (OR LADIES' AUXILIARY).
5. NAMES AND ADDRESSES OF PROVISIONAL OFFICERS:

PRESIDENT \_\_\_\_\_

1<sup>ST</sup>. VICE PRESIDENT \_\_\_\_\_

2<sup>ND</sup>. VICE PRESIDENT \_\_\_\_\_

SECRETARY \_\_\_\_\_

TREASURER \_\_\_\_\_

APPROVED BY DISTRICT COMMANDER \_\_\_\_\_

APPROVED BY ZONE COMMANDER \_\_\_\_\_

CHARTER FORWARDED TO DISTRICT COMMANDER, DATE: \_\_\_\_\_

CHARTER NO.: \_\_\_\_\_

NAMES OF CHARTER MEMBERS: (IN BLOCK LETTERS) **Please attach any additional  
members on separate list.**


## PROCEDURE TO SURRENDER A CHARTER OF A BRANCH

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

- 1) Requires a notice of motion at a General meeting of the branch;
- 2) The notice should be mailed to all members in good standing at least 10 days prior to the special general meeting at which it is to be discussed;
- 3) Copies of the notice of motion shall be mailed to the District Commander and the Zone Commander;
- 4) A 2/3 majority vote is required;
- 5) If the motion to surrender the charter is approved, the charter shall not be surrendered until:
  - a) The general membership has approved a motion for the disposition of the assets in accordance with the Act to Incorporate, the General By-Laws and the General By-Laws of Ontario Command; and
  - b) Ontario Command has approved the surrender of the Charter and the proposed disposition of the real property of the branch; and
  - c) All real and personal property has been disposed of in accordance with the approved proposal.
- 6) The signing officers of the branch shall remain members of the branch until the surrender of the charter is finally approved by Ontario Command.
- 7) Upon the surrender of the charter, the Ladies' Auxiliary Charter (if applicable) shall also be surrendered.
- 8) The Charter shall be returned for cancellation to Ontario Command.
- 9) A branch may request the return of the 'cancelled' charter for display in the community or at another branch.

### *Notes:*

- (a) The property/assets of the branch may not be disbursed to the members of the branch.
- (b) Please see Section 929 of the General By-Laws of Ontario Command, this section deals with the disbursement and what may happen to surplus funds. "A branch may apply to the Administrative Committee of Ontario Command for exemption from this policy, when it is deemed more beneficial to donate the property in another way."
- (c) The following documentation must be submitted to Ontario Command:
  - A copy of the notice of motion which has been mailed to all members in good standing.
  - A copy of the certified (signed by President and Secretary) minutes of the General Meeting at which the notice was proposed.
  - A copy of the certified minutes of the General Meeting at which the notice was approved.
  - A complete list of the assets and the liabilities of the branch.
  - A proposal, approved by the General Membership, for the disposition of the assets and a certified copy of the minutes of the General Meeting which provided the approval.

## **Disposition of Branch Records**

The following records disposition policy will apply on the surrender of a branch charter:

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

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

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

## RETENTION OF RECORDS

<b>BANKING</b>	Cash books, Cheque Register, Bank Statements, Cancelled Cheques, etc.	7 years
<b>INVENTORY</b>	Perpetual records and physical count sheets	7 years
<b>JOURNALS &amp; LEDGERS</b>	Accounts Receivable, Payable, etc.	7 years
<b>INSURANCE</b>	Accident, Fidelity, Fire, Group, Liability Property, Workmen's Compensation	7-10 years
<b>TAXES</b>	Retail Sales Tax (Provincial)	7 years
	Harmonized Sales Tax	7 years
	Withholding Tax Forms, such as T-4, T-5 Summaries and TD-1's	7-10 years
<b>PERSONNEL EMPLOYEE</b>	Employment and Payroll Summaries	7-10 years
<b>INVOICES</b>	Sales and Purchases	7 years
<b>MINUTES BOOKS</b>		Permanent
<b>General Ledger FINANCIAL STATEMENTS</b>		Permanent

# **TERMS OF REFERENCE**

## **THE ROYAL CANADIAN LEGION CADET MEDAL OF EXCELLENCE**

### **General**

1. The Royal Canadian Legion Cadet Medal of Excellence is awarded in recognition for individual endeavours in citizenship which meet or enhance the aims and objectives of the cadet movement.
2. The program is wholly sponsored by the RCL.

### **Description**

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

### **Terms of Reference**

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

### **Selection Criteria**

6. The main objective in awarding the RCL Cadet Medal of Excellence is to emphasize the citizenship aspects of the cadet program. To be eligible for consideration, a cadet must meet the following conditions:
  - (a) all requirements of the corps/squadron annual mandatory and optional training programs;
  - (b) participated in a minimum of three community service events, in addition to those supported by the cadet unit through its LHQ program;
  - (c) regarded by peers and superiors as exemplifying the model cadet; and
  - (d) enhanced the cadet unit through:

- (1) co-operation with peers and subordinates,
- (2) comradeship,
- (3) promoting goodwill and morale within the corps/squadron,
- (4) aiding in the development of group identity and cohesiveness,
- (5) supporting and assisting fellow unit members, and
- (6) his involvement in the local community.

### **Selection Procedure**

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

### **Presentation**

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

### **Replacement**

12. If lost or stolen, this medal and undress ribbon can be replaced by sending a request to the local RCL branch.
13. This request must include the name of the person requesting the medal, his telephone number and the address where the medal is to be sent.

- *Branches order the Cadet Medal of Excellence and Certificate through the Ontario Command supply department, for order forms #800176 please go to [www.on.legion.ca](http://www.on.legion.ca) located under member's area.*

## COMMITTEES

Article IX of the Provincial By-Laws requires branches to elect or appoint Chairmen of certain specified standing committees. These include Membership, Poppy, Youth Education, Public Relations, Track and Field, Training and Organizational Development, Legion Seniors, Veterans Services and Sports. Standing committees at branch level are crucial to the delivery of Legion programs across the province and the country. Most of these programs start at the branch level and progress through zone and district to provincial and to the dominion level. The Provincial By-Laws therefore mandate that certain committees must exist at branch level to ensure the stability of the programs throughout the organization. Some committees are not mandated by the Provincial By-Laws, but nonetheless are important for successful branch operations. Examples are the Entertainment committee, Bar committee, Finance committee, etc. You will find additional information regarding these types of committees in the 'Branch Advisory Manual', available from the Ontario Command resale department.

There are various types of committees as noted below:

### **Type of Committees:**

- Standing: A permanent committee formed to carry out a task that will last for an indefinite term. Reports back to the main body from which it was formed.
- Temporary: Formed to carry out one task or project. Is dissolved automatically when the task is done and the report given. Reports back to the main body.
- Sub: Formed by and within the committee to do special work. Smaller than the committee. Reports back to the committee from which it was formed. Does not report to the main body.
- Joint: A committee formed by the representative of two or more organizations. Reports back to the organizations from which it was formed.

### **The Task of the Committee:**

- (a) Must be clearly defined by the Executive Committee.
- (b) Should be definite and explicit.
- (c) Areas of operation-authority and resources available must be made clear.
- (d) Direct when and where reports are to be made.

### **The Chairman of a Committee:**

When committee chairmen are appointed, the terms of reference of each committee should be given, in written form, to the respective chairmen.

### **Selecting a Committee:**

The selection of committee members will be determined by Branch Regulations. Some Branches provide that the President or Executive Committee shall name all members of the committee. Other Branches leave this responsibility to the committee chairman.

The President is ex officio, a member of each committee.

### **PROVINCIAL STANDING COMMITTEE CHAIRMEN**

The Provincial By-Laws also provide for the appointment of standing committee chairmen for provincial committees. These appointments are made by the Provincial President and are subject to the ratification of the Administrative Committee.

The general guidelines for the provincial chairmen are as follows:

- a) The Chairman shall convene a meeting of his committee when required and within the policy of the Command. The Command policy requires that the Chairman of each Standing Committee shall provide the Provincial President with a copy of the proposed agenda for his approval, prior to the meeting. Provincial meetings must be meaningful and of duration to be considered cost effective. If agenda items are not sufficient, an educational component should be prepared for presentation.
- b) The Chairman shall be responsible to ensure that communications are established with all levels of Command with respect to every matter within his jurisdiction. Information circulated by Dominion Command relating to the Dominion standing committees should be shared and circulated to the members of the provincial committee.
- c) The Chairman shall communicate with the District Chairmen to ensure that they pass on the information provided at committee meetings to all levels within their districts.
- d) The Chairman shall require the District Chairmen to provide him with copies of all reports and circulars, etc., which he circulates throughout his district.
- e) The Chairman shall ensure that with the approval of the District Commanders, a program of seminars is held throughout the Command. Where possible, seminars should be interactive and in the form of a workshop.
- f) The Chairman shall ensure that the recommendations of his committee with respect to policy, awards and motions which would result in additional financial expenditures are placed before the Administrative Committee or Provincial Executive Council, for approval prior to their enactment.
- g) Standing Committee Programs are to be discussed at district level and it is the responsibility of the District Commander in conjunction with his respective Chairmen to organize seminars at district and/or zone level.
- h) Seminars at zone and branch level are the responsibility of the District/Zone Chairmen and Zone Chairmen respectively, and not that of the Provincial Chairman.
- i) An invitation may be extended to a Provincial Standing Committee Chairman by a District Commander to assist in the presentation of a seminar at district level. Invitations of this nature must be submitted through the office of Provincial Command.

- j) It is the policy of the Command to allow one Provincial Chairman only, to be in attendance at a District Convention, for the purpose of conducting a seminar, with the exception of the Public Relations Chairman and the Ontario Correspondent. They may attend together but a separate invitation is required for each.
- k) When it is the intent of the district to hold two or more seminars at the same time, the District Chairman, in co-operation with the guest speaker (Command Officer), shall conduct said seminar.
- l) It shall be the responsibility of Provincial Standing Committee Chairmen, with input from their committees, to prepare seminar material for their respective committees.
- m) Provincial Standing Committee reports are to be mailed to Command one month prior to the meeting of the Provincial Executive Council.
- n) No consideration shall be given to allow Provincial Standing Committee Chairmen to appoint Vice-Chairmen to their committees at Command expense. The one exception to this is the appointment to the Veterans Services and Seniors Committee of a Vice Chairman responsible for seniors' issues. This appointment was made following the amalgamation of the Veterans Services Committee and the Legion Seniors Committee.
- o) The preparation of 'all branch circulars' specific to the standing committee, through the command office, is the responsibility of the respective Chairmen.

### **GENERAL MANDATE OF THE PROVINCIAL COMMITTEES**

The provincial committees have been mandated by Ontario Command to take on certain basic tasks. The general mandates of each of the committees are noted below. Some of the committees have developed more detailed terms of reference and job descriptions and where applicable, these are found under the section describing the program (i.e., Veterans Services, Youth Education, etc.) in this manual.

#### **Youth Education Committee**

Shall be responsible for the annual Storytelling, Public Speaking, Literary and Poster competitions and to establish the Rules and Regulations governing these programs at the various levels within the Ontario Command.

Shall select the location of the Storytelling and Public Speaking Finals, to be rotated on an area basis.

Shall assist their District Commander with the selection of the district nominee for the biennial Pilgrimage of Remembrance.

Shall capture statistical information on program participation, as requested by Dominion Command.

### **Membership Committee**

Shall be responsible to ensure that branches organize an ongoing campaign to increase membership in all categories.

Shall be responsible to direct a program of membership renewal and to recommend a system of membership records in each branch.

Shall organize, in cooperation with District and Zone Commanders, membership seminars for branches at which membership records, processing and eligibility may be discussed.

### **Poppy Committee**

Shall assist branches with the organization of an annual Poppy campaign and ensure that only products authorized by Dominion Command are used.

Shall recommend procedures to increase the distribution of Poppies and Wreaths.

Shall recommend policy with respect to Poppy Trust Funds in accordance with the General By-Laws of the Legion.

Shall ensure that each Poppy Fund committee files an annual poppy report form to the Provincial Command office by the established deadline date. This report is to be submitted through the Zone and District Poppy Chairmen, who will ensure that the reports are forwarded to the next level.

Shall ensure that each branch files reports to the Provincial Command office, through the Zone and District Poppy Chairmen, showing the amount of monies collected from counter top boxes placed in all L.C.B.O. and Beer Store outlets under their jurisdiction, as soon after November 11th as possible.

### **Public Relations Committee**

Shall organize a program of Public Relations at all levels within the Command to promote the Legion, its programs, services and contributions internally within the Legion and externally to the general public.

Shall assist other command standing committee chairmen and their committees to develop promotional material specific to their committees.

Shall prepare and/or inform branches of manuals and information needed to develop promotional material within their area.

Shall conduct the annual Branch Bulletin and Scrapbook Contest and shall recommend policy in connection therewith.

Shall be responsible for the date (to be approved by the P.E.C.) and organization of Legion Week, usually held in the third full week in September.

### **Sports Committee**

Shall organize a series of branch sports to progress to Zone, District and Provincial Play-Offs and to establish dates, locations and appoint convenors for each.

Shall recommend the amount of entry fees and assessments for each event of the sports program (self-supporting at Provincial level).

Shall recommend rules and regulations governing the various sports.

### **Track and Field Committee**

Shall organize an Indoor and Outdoor Track and Field Program for male and female athletes, midget (15 years of age) and under and Youth (17 years of age) and under, in the year of competition.

Shall establish minimum standard guidelines.

Shall be responsible for the organization, rules and conduct of the Winter Indoor and Summer Meet for athletes within the guidelines laid down by Ontario Command.

Shall recommend the events and number of entries permitted to participate in the Provincial Program.

### **Legion Correspondent**

Shall receive submissions from branches for inclusion in the Legion Magazine and shall prepare copy for submission to the magazine.

Shall inform branches of the proper method and the nature of suitable items for publication.

Shall arrange, in conjunction with District Commanders, seminars to properly inform branches regarding submissions.

Shall prepare publicity submissions of Ontario Command programs, when required.

The Correspondent is not considered to be a reporter and is not authorized to attend functions for the purpose of publicity.

Shall consult periodically with the Editor of the Legion Magazine to review policy and procedure.

## **Training and Organizational Development**

Shall research and develop seminar material which can be presented in appropriate seminar situations.

Shall research instructional mediums and make recommendations to Ontario Command as to effectiveness, cost and subject matter.

Shall consider and recommend, in its organizational role, action plans within branches for organizational change which may make their operations more efficient.

May provide resources and assistance to districts through various seminars, training or learning situations.... the venues for these presentations being determined by the district.

Shall ensure that all relevant information regarding training and organizational development are forwarded to Ontario Command and the levels of Legion in Ontario that require it.

Shall identify training and organizational needs within the Legion structure in Ontario and make recommendations to the Ontario Command Administrative Committee.

Shall review the terms of reference for the committee once during the two year term to ensure they are timely, pertinent and do not require update.

## **Veterans Services/Seniors Committee**

The Terms of Reference for the Veterans Services/Seniors Committee have been sub-divided by areas of responsibility as follows:

### **Veterans Services**

Shall examine the policies and programs of the Canadian Forces, the RCMP and VAC and its associated agencies, the Veterans Review and Appeal Board to safeguard the interests of Veterans, still serving and recently released members of the Canadian Forces and the RCMP.

Shall continue to monitor:

- (a) the delivery of services and benefits to VAC pensioners and their dependants through Veterans Affairs Regional and District Offices and Legion Service Officers; and
- (b) the re-organization of and transfer of Veterans Affairs responsibilities - so as to protect the vital interests of the veterans and dependants whom the Department serves.

Shall recommend priorities to Provincial Executive Council so as to attain official objectives for the improvement of Veterans' legislation as it pertains to the Province of Ontario.

Shall work, in pressing for additional improvements to domiciliary and chronic care accommodation and home and community care services for older Veterans, especially the expansion of nursing home care for the Province of Ontario.

Shall monitor the availability and disposition of all Veterans Affairs contract beds in the Province of Ontario and ensure equitable access for entitled Veterans.

Shall monitor, the well-being of veterans in community and contract long-term care facilities in the Province of Ontario to ensure a high standard of care.

Shall ensure that long term care requirements of Veterans and/or dependants are met, with respect to sheltered housing, domiciliary care and other housing requirements.

Shall study and follow up on any other concern affecting the welfare of all members of the Forces of Canada, the RCMP and their dependants in the Province of Ontario.

### **Seniors**

Shall maintain up-to-date communications with districts through the Provincial website.

Shall promote and carry out programs to which Legion members can relate, that will enhance the quality of life and provide social and service amenities to our aging Veterans and citizens.

Shall foster branch and community interests in Seniors.

Shall encourage branches, either independently or in cooperation with other voluntary organizations, to adopt and assist, if possible, programs to provide basic services that will enhance the quality of life for Seniors within the community.

Shall promote the development of resources that will enhance the quality of life for all Seniors and the promotion of educational programs describing the opportunities for service to Seniors.

Shall promote community projects and government programs directly related to housing with priority access for Veterans and Seniors.

Shall maintain current in Seniors' issues through liaison with local, Provincial and Federal Governments and other national or international organizations involved in the promotion of care and other useful programs for Seniors.

Shall liaise with other organizations interested in Seniors issues to exchange information, promote Legion Seniors viewpoint, to explore potential areas of mutual support and to form partnerships.

Shall monitor and examine federal, provincial and municipal policies and programs impacting upon Seniors and follow up on concerns affecting the well-being of all aging citizens.

Shall advise Provincial Executive Council of Seniors policy issues which should be the subject of Legion advocacy or representation to the government.

Shall apply relevant Veterans program experience to selected Senior's issues such as housing, health care, income security.

### **Constitution and Laws Committee**

Shall review the General By-Laws of the Ontario Command and shall make recommendations with respect to required amendments.

Shall review and comment on all Branch Regulation submissions and make recommendations or suggestions for their improvement or approval, through the Provincial Command office.

Shall consider all queries submitted to it by Provincial Command, or its officers on any questions dealing with By-Laws or regulations and shall reply with its recommendations.

The Provincial Chairman, in consultation with the Provincial Command President, shall determine the validity of a complaint lodged at Provincial level or an appeal under the complaint procedure and the course of action to be taken.

### **Resolutions Committee**

Shall receive all resolutions submitted by Branches, Command and Standing Committees of Provincial Command and shall clarify any resolutions that are going to convention which are not clear and make recommendations with respect to any of those resolutions, which because of the timing of their receipt, have not been reviewed by an appropriate provincial committee.

### **Honours and Awards Committee**

Shall receive, review and make recommendations with respect to applications submitted for the Meritorious Service Medal, the Palm Leaf and Life Membership.

Shall recommend policy pertaining to the requirements with respect to citations and administrative procedures.

It shall be the responsibility of the Honours and Awards Chairman to appoint two members to his committee from branches located within the immediate area and advise Command of their names, addresses and telephone numbers.

### **Provincial Financial Branch Advisory**

The committee will consist of a Provincial Chairman appointed by the Provincial President and one District Representative from each District appointed by the District Commander, Committee Secretary, Provincial First Vice-President and others that may be required.

The committee will be responsible to establish and maintain guidelines by which the Branch Advisors will assist branches. The guidelines will consist of, but not restricted to branch operations, financial advisory, lottery programs (AGCO Policies), and closing of a branch.

Work in conjunction with the District Financial Advisors for the benefit of the branches.

Conduct training sessions for the District Financial Advisors and members of the District Branch Advisory committee.

Work with the Command Staff and Officers as required.

Be responsible for periodic updates to the Branch Advisory Manual and pertinent reference material.

Assist branch in new and old financial initiatives.

The committee will meet at the call of the Chairman with the approval of the Provincial President.

Conduct seminars in the Districts.

## **BURSARY PROGRAM**

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

### **Categories of Eligibility:**

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

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

### **Application Form:**

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

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

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

A copy of the OSAP "View Application Details" and "Funding Summary" must be attached to the application form; otherwise the application will be considered null and void.

If OSAP deems the student to be ineligible, a copy of their "View Application Details" and "Status Summary" confirming their ineligibility must be attached to the application.

No consideration will be given to a bursary award for students undertaking correspondence courses or distance education.

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

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

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

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

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

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

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

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

Section “E” of the application form must be completed and endorsed by the University/College/school of instruction or equivalent proof of attendance may be attached. On-line verification of enrollment documents that are accessed through a secure website are acceptable proof.

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

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

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

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

### **Duplicate Applications:**

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

### **Application Time Frames:**

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

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

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

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

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

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

- a) To the District Bursary Chairman, as denoted by the Branch of which the sponsor is a member and as stated on the Application Form.
- b) If the sponsor is deceased - to the Bursary Chairman of the District in which the parent/or student resides; and
- c) If the sponsor is not a member - to the Bursary Chairman of the District in which the parent/or student resides.

### **Awards and Allocation of Funds:**

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

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

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

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

The District Bursary Committee shall assign a dollar value for each Bursary to be awarded. The decision of the District Bursary Committee is final.

### **Academic/Scholastic Year:**

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

### **Notification of Approved Applications:**

Approved applications shall be returned to Command by the District Bursary Chairmen.

Applicants, who have been approved for Bursary assistance, will be notified by the Command Office upon receipt of the recommendation from the District Chairmen.

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

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

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

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

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

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

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

### **Committee Meetings:**

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

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

Appointments of L.A. Committee Members are made to coincide with Provincial Command elections and appointments to committees at Provincial and District level.

### **Confidentiality Agreement:**

Each District Chairman shall submit copies of the signed “Confidentiality Agreement” of their review/selection committee members to the Command Bursary Secretary. These will be included with the bursary applications each year. Copies of the agreements must be submitted thirty (30) days after the first review/selection meeting has occurred.

### **Bursary Reports**

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

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

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

### **Full Terms of Reference for the Provincial and District Bursary Committees**

#### **Provincial Bursary Committee:**

The Provincial Bursary Committee shall consist of the following:

- (a) One Ontario Command Vice-President as appointed by the Provincial President
- (b) One representative from each District;
- (c) Second Vice-President Ladies’ Auxiliary as appointed by the L.A. President to Ontario Command
- (d) President of the Charitable Foundation; and
- (e) The Command Bursary Secretary to record the minutes at Provincial Bursary Meeting, provide continuity, and to provide resource in terms of appropriate by-law regulations, etc.

#### **Expense Policy**

- (a) Expenses incurred by the above Committee Members with regard to attendance at the annual meeting of the Provincial Bursary Committee are borne by Ontario Command, through the Charitable Foundation.
- (b) Provincial Command will pay for the expenses of the District Chairmen to attend meetings related to their Provincial responsibilities.

- (c) The Ladies' Auxiliary is responsible for expenses incurred by their representatives to attend District and other meetings of the Bursary Committee.
- (d) Expenses incurred by additional zone members are the responsibility of the individual zone.

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

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

**Provincial Bursary Chairman**

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

**District Bursary Chairman**

- (a) The District Bursary Committee shall include the District Bursary Chairman, two Zone Commanders from the Ladies' Auxiliary, and one Senior Provincial Officer of the L.A. residing in the District. If possible, each Zone should be represented however additional members are at the discretion of the District Bursary Chairman.
- (b) The District Chairman shall provide the Provincial Chairman with a copy of all reports, circulars, notices, etc., which are presented at Convention or are circulated in the District.
- (c) The District Chairman and his committee are responsible for the disposition of all Bursary applications forwarded to them by Ontario Command. Standing Committee programs shall be discussed at District Level, and it is the responsibility of the District in co-operation with the District Bursary Chairman to organize seminars at District and/or Zone Levels.

- (d) It should be noted that seminars at Branch or Zone Levels are the responsibility of the Zone and/or District Bursary Chairman. It is not the responsibility of the Provincial Bursary Chairman to conduct seminars at Branch or Zone Level.
- (e) An invitation may be extended to a Provincial Bursary Chairman by a District Commander to assist in the presentation of a seminar at District level. Invitations of this nature must be submitted through the office of Provincial Command for approval.

**Responsibilities of the District Bursary Chairman:**

The District Chairmen shall be members of the Provincial Bursary Committee.

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

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

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

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

The District Chairmen shall notify Command of the approval or rejection of all applications reviewed. Successful applications are to be returned to Command as soon as possible. Unsuccessful applicants shall be notified by the District Chairman using the Command approved "Letter of Rejection", a copy of which shall be sent to Command with a note giving the reasons for the rejection.

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

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

The Chairmen shall provide copies of the Bursary Review/Selection Reports to the Ladies' Auxiliary Provincial President, L.A. Second Vice-President and to the L.A. Secretary Treasurer for review and record keeping.

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

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

Ontario Command has ample reason to be proud of many of its programs, some of which are part of national initiatives such as the Track & Field program and the Poster & Literary competitions. The Charitable Foundation was conceived and implemented as a provincial initiative and remains a remarkable example of the good that can be done when the branches and the Ladies' Auxiliaries combine their efforts. Each and every year since its inception in 1981, the members and Directors of the Charitable Foundation review applications for medical equipment and research funding and approve grants to community medical facilities and organizations across the province. One would be hard pressed to find a hospital or non-profit nursing home within the boundaries of our Command that has not benefited from this program. The grants are only made possible through the untiring support of our branches and Ladies' Auxiliaries. Since its inception the Charitable Foundation has made grants in excess of 10 million dollars to the various hospitals, health clinics, and homes for the aged and charities in the communities of Ontario...What a remarkable achievement! Thank you to the Branches and Ladies' Auxiliaries of Ontario Command.

### **Terms of Reference**

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

Guidelines are provided for applicants to follow when submitting an application to the Charitable Foundation. These guidelines must be reviewed carefully to ensure that the application is not rejected simply because it is incomplete.

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

Applications for grants to be made to The Royal Canadian Legion, Ontario Provincial Command Branches and Ladies' Auxiliaries' Charitable Foundation, shall include the following:

1. Name and address of the organization which will be the recipient, if a grant is made. Include who is the main contact for the request plus the location or the actual site where the fund will be appropriated.
2. If the organization has a registered charity number, please list it.
3. A list of the names of the Board of Directors.
4. The amount of capital funds requested, excluding taxes, shipping and specific purpose for same.
5. A detailed budget showing how the grant is to be expended.
6. **Twenty-one copies of the submission are required on official letterhead including 21 copies of the financial statements. Include financial statements only pertaining to the institution applying for the grant. If your organization is governed by a municipality or foundation please send only the part of the financial statements that applies to your department.**
7. **SUBMISSIONS MUST BE COLLATED. DO NOT SEND 21 COPIES IN INDIVIDUAL BUNDLES. FAXED COPIES ARE NOT ACCEPTED**
8. Endorsement of the application by the authorized signing officers of the organization.
9. Endorsement letter from the Chief Administrator of the parent organization to be attached to the application.
10. Please submit applications on 8 ½ x 11 size paper.
11. Successful applicants must submit a Purchase Order no later than May 31<sup>st</sup> of the following year from the date of advisement. **Invoices will not be accepted.**
12. Applications may only be approved for two consecutive years and then must abstain for one year before re-applying to the Foundation. Applications must be complete.
13. The transfer of funds to another organization under the applicant's umbrella is not allowed.

Kit covers and glossy portfolios can be expensive, the Board of Directors request you **eliminate all unnecessary paperwork** from your application. Please be precise and accurate in your submission.

The application must be **received** at the following address by the **LAST FRIDAY IN APRIL.**

Executive Director, The Royal Canadian Legion,  
Ontario Provincial Command Branches and  
Ladies' Auxiliaries Charitable Foundation  
89 Industrial Parkway, North,  
Aurora, ON L4G 4C4  
Tel: (905) 841-7999

*Revised June 25, 2012*

## HONOURS AND AWARDS

It is recommended that applications for Honours and Awards be submitted well in advance of the date of the function - Life Membership (three months) and the Meritorious Service Medal or Palm Leaf (four months).

The Dominion and Provincial Awards Committees meet on a monthly basis in an effort to expedite these awards.

### **Past Service (Office) Awards**

To be eligible for a past officer award, the member in question must have completed at least one term of office. However, where a full term of office has not been completed because of the inability of the incumbent to carry on by reason of transfer, illness or other valid reasons, the branch may approve the award, providing that at least 50% of a term plus one day has been completed.

Any member completing at least 50% of a term of office plus one day, replacing an officer who has left office for various reasons, shall be entitled to a medal for the office he has replaced.

One medal only may be awarded at each level, regardless of whether the member concerned may have held more than one office at that level.

### **Bars to Past Office Medals**

One bar only may be awarded for a specific office at each level, notwithstanding that the member may have held the same office for more than one term, consecutively or non-consecutively.

The Maple Leaf Bar to the past president's medal may be awarded after the completion of a second full term in that office and by this we mean the office of President.

One "Past President" medal only will be awarded at each level (Dominion, Provincial, Branch), notwithstanding that the member may have held the office for more than one term, consecutively or non-consecutively.

**Please note – Past officer awards, Bars to Past Officer Medals and Lapel Badges are now ordered directly from Dominion Command at 1-888-301-2257 or by email at [supply@legion.ca](mailto:supply@legion.ca) form # 800284 must be completed for awards for past service and retained on the branch file. It is no longer necessary to send the form to Dominion Command when ordering these awards. It is up to the branch to determine if these awards can be made at branch expense.**

### **Lapel Badges**

Long Service Badges are available to Ordinary, Life and Associate and Affiliate members and it is up to the branch to determine if these awards can be made at branch expense.

## **Meritorious Service Medal - MSM**

One only may be awarded regardless of the level. The criteria for these awards are clearly outlined in the 'Honours and Awards' manual, item #700214. All offices held by the member being recommended should be included and dates and spans of time should be noted. These facts in themselves are not necessarily sufficient for the award, since it is expected that such elected or appointed members will assume the responsibilities of their positions. Meritorious service is considered to be service above and beyond that required for the fulfillment of any specific office or committee or appointed task. It is generally considered that a minimum of five years should have elapsed between the award of a Life Membership and the application for an MSM, but this is not mandatory and on occasion in special circumstances an MSM has been awarded ahead of the life membership. The citation should provide details of the service rendered outside of the normal requirements of the particular office, including community service. The application must be accompanied by a copy of the Life Membership Application.

An individual and separate letter (signed and dated) from the Zone Commander and District Commander commenting on the merits of the application must accompany the application. **These comments are confidential and should not be made available to the branch recommending the award.**

## **Palm Leaf**

Only one may be awarded regardless of the level. A Palm Leaf may be awarded to the holder of the MSM for subsequent additional meritorious service. When consideration is being given to such an award, only the period from the date of the award of the original medal is to be taken into account and form the citation. A copy of the application for which the MSM has been awarded shall accompany each application and the citation shall be for the period since the MSM award.

An individual and separate letter (signed and dated) from the Zone Commander and from the District Commander commenting on the merits of the application must accompany the application. **The comments provided by the Zone Commander and District Commander are confidential and should not be made available to the branch recommending the award.**

## **Life Membership**

A Life Membership may be awarded to any ordinary, associate, or affiliate voting member for outstanding service upon nomination of the branch and may not be recommended until the member has completed at least 10 years of membership. The 10 year membership requirement is considered to be 10 consecutive years immediately prior to the date of nomination.

*A branch may also nominate a Meritorious Life Member who is a Canadian or Commonwealth citizen for a change of category to a Life Membership. After approval at a branch general meeting, the change of category should be submitted directly to Dominion Command for processing.*

## **Golden Anniversary – (50 Years Service) Medal**

The 50-year medal is available to members who have completed fifty years of membership in The Royal Canadian Legion (this includes the Canadian Legion B.E.S.L. and the Great War Veterans' Association). It may be awarded on the recommendation of the member's branch and is ordered through the Dominion Command central supply system. Ribbon bars in five year intervals are available for membership exceeding 50 years.

### **General Guidelines for applications for Life Membership/ Meritorious Service Medal/ Palm Leaf Awards**

1. Read the Honours and Awards and Legion Officers' Manuals carefully prior to completing the application form.
2. Decide if the member is worthy of the award.
3. Order the proper current forms from Dominion Command or you can obtain them on our Ontario Command website ([www.on.legion.ca](http://www.on.legion.ca)) located under member area.
4. Complete all lines on the application form, ensuring that all requested information is provided.
5. The application must be completed in octuples (8 copies) and one of these copies should be retained on the branch file. Where possible, indicate first names rather than initials. Note any past awards received on the application form and the dates of each, the age of the intended recipient and the date and year of admission to membership.
6. A detailed signed citation (typed preferably on the reverse side of the application), outlining the nature of the outstanding service that has been rendered must be included in support of each application. List all pertinent data, offices held with dates and spans of time involved. Please keep in mind that the committee has only the citation upon which to base its decision. The citation must be signed by the person who has prepared it and should also be signed by the two officers noted in item 7, who signed the front of the application.
7. The Signature of two (2) members of the Branch Executive Committee is required on the application and the citation (if the citation has been typed on a separate piece of paper).
8. The date and type of meeting (executive or general only) should be specified.
9. Eight (8) copies of the application shall be completed, one of which shall be retained by the Branch. The remaining copies shall be forwarded to the Zone Commander who will comment upon the application on a separate, signed and dated confidential document and forward all copies to the District Commander. He, in turn, shall comment upon the application under separate cover (signed and dated) and forward five (5) copies to Command; **NOTE: Five (5) COPIES OF ALL APPLICATIONS MUST BE SUBMITTED TO ONTARIO COMMAND.**
10. Life Membership applications require the signature of the Zone and District Commanders and must be dated.
11. MSM and Palm Leaf applications require a signed and dated letter from the Zone and District Commanders with comments regarding the application and a copy of the Life Membership Application.

## **M.S.M. Procedure – Branch, Zone, District and Command**

When submitting an application for the M.S.M., use the criteria as shown in the Honours and Awards manual (item #700214) and the following guidelines. Use the current version of application form #800281 and complete all questions on the form.

### 1) **Branches:**

- (a) A citation (signed by the person who had prepared it) shall be submitted and contain the member's name, address and his Legion history shall be completed in detail as noted under the general requirements above (all offices held, dates and time spans, etc.)
- (b) Complete details of the meritorious service rendered shall be listed;
- (c) The application shall be signed and dated by two (2) officers of the Branch and the Branch minutes recommending the award shall be noted on the application;
- (d) The date and type of meeting – (must be a general or executive meeting only);
- (e) Eight (8) copies of the application shall be completed, one of which shall be retained by the Branch. The remaining copies shall be forwarded to the Zone Commander who will comment upon the application on a separate, signed and dated confidential document and forward all copies to the District Commander. He, in turn, shall comment upon the application under separate cover (signed and dated) and forward five (5) copies to Command; NOTE: Five (5) COPIES OF ALL APPLICATIONS MUST BE SUBMITTED TO ONTARIO COMMAND.
- (f) Command shall take the appropriate action.

### 2) **Zones:**

- (a) A citation (signed by the person who has prepared it) shall be submitted and contain the member's name, address and his Legion history (all positions held and dates and spans of time) and the reasons for the recommendation in detail.
- (b) The application shall be signed and dated by two (2) members of the Zone Executive and the Zone minutes recommending the award shall be noted on the application.
- (c) The application shall be endorsed or commented upon by the Branch of which the intended recipient is a member and the signatures of at least two (2) officers of that Branch shall be affixed to the endorsement.
- (d) Seven (7) copies of the application shall be completed, one of which shall be retained by the Zone Secretary. The remaining six (6) copies shall be forwarded to the District Commander who shall comment upon the application on a separate and confidential document and forward five (5) copies to Command.

3) **Districts:**

- (a) A citation (signed by the person who has prepared it) shall be submitted and contain the member's name, address, Legion history (all positions held and dates and spans of time) and the reasons for the recommendation in detail.
- (b) The application shall be signed by two (2) members of the District Council and the District minutes recommending the award shall be noted on the application.
- (c) The application shall be endorsed or commented upon by the Branch of which the intended recipient is a member and the signature of at least two (2) officers of that Branch shall be affixed to the endorsement.
- (d) Six (6) copies of the application shall be completed, one of which is retained by the District Secretary. The remaining five (5) copies shall be forwarded to Command.
- (e) Command shall take the appropriate action.

4) **Command:**

- (a) A citation (signed by the person who has prepared it) shall be submitted and contain the member's name, address, Legion history (all positions held and dates and spans of time) and reasons for the recommendation in detail.
- (b) Five (5) copies of the application shall be completed and shall be signed by two (2) officers of the Command. Minutes of the Administrative Committee recommending the award shall be noted on the application.
- (c) Command shall take the appropriate action.

In the event of a denial of the award, Command will notify the originator of the application and the appropriate District Commander.

**Procedure for completion of Life Membership Applications**

Before submitting an application for a Life Membership, carefully review the criteria for this award as noted in the Dominion Honours and Awards manual (item #700214) and review the general requirements noted above. Use the current version of form #800282.

- (a) A citation must be submitted (preferably typed on the reverse side of the application form). The citation should contain the member's name, address, Legion history (all positions held and the dates and spans of time involved). The citation must be signed by the person who has prepared it and shall be signed by two (2) officers of the Branch.
- (b) The date and type of meeting (executive committee or general) must be noted.

(c) Eight (8) copies of the application shall be completed, one of which shall be retained by the Branch. The remaining seven (7) copies shall be forwarded to the Zone and District Commander for their approval and signature.

(d) Command shall take the appropriate action.

Upon the approval of the Provincial Honours and Awards Committee, the application is returned to the branch in order that it may remit the necessary per capita tax payment, in accordance with the schedule, as outlined in section 205 of the General By-Laws.

*If a member dies between the time a Life Membership is approved by the Provincial Command and submission to Dominion Command, no per capita is required. A certificate will then be issued to the family. However, a branch will not be refunded per capita tax if a life member dies after the per capita has been submitted to Dominion Command.*

It is required that a Member Registration Form, a Transmittal Form and the appropriate Per Capita Tax payment made payable to Dominion Command accompany the approved application.

**NOTE:** It is not the responsibility of the Provincial Honours and Awards Committee to recommend a lesser award when it has not concurred in a M.S.M. or Life Membership application.

If the application(s) has been rejected, the committee must state their reasons for non-concurrence and the branch will be advised accordingly.

### **Meritorious Life Membership**

Meritorious Life Membership is a category of membership that was in place prior to October 1, 1998. The meritorious life membership may no longer be awarded but the meritorious life member, who is a Canadian citizen or a Commonwealth subject, may be nominated for a change of category to a life membership by the branch of which he is a member. After approval at a branch general meeting, the change of category should be submitted to Dominion Command for processing. No further payment of per capita is required.

## **Other Awards**

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

**Friendship Award** - may be made at Dominion, Provincial or Branch level to an organization outside of the Legion, to a member of the American Legion or of another veterans organization, or to a member of a service organization, who has rendered more than ordinary assistance or service to the Legion, or has co-operated to an unusually high degree with the Legion, etc. The approval of

this award rests with the Provincial Command, Honours and Awards Committee. It is to be noted that the award is not available to Legion Members.

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

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

**Branch Honorary Patron** – an honour by the branch to local dignitaries and community leaders. The award is not a form of membership. Persons selected for the award are at the discretion of the branch. The person receiving the award may enjoy social privileges at the granting of the branch only. No record of the award is maintained at Dominion Command. Certificates for this award may be ordered through the Dominion Command central supply system.

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

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

The committee is comprised of a Chairman and two members who reside in close proximity to one another. Applications received in the command office are forwarded with all related documentation to the members of the committee. Two copies are sent to the Chairman and one of these copies is returned to Command with the decision of the committee.

The committee is provided with mileage to attend committee meetings. No overnight accommodation is permitted. The annual meeting of the committee is held in the area where the committee members reside and it is the responsibility of the Chairman to arrange a meeting room and accommodations for the Command officer who will attend. The committee shall record its own minutes and forward a copy to the Command office for file purposes.

## MEMBERSHIP

Membership is Everybody's Business! It is important for the continued survival of Legion programs and the continued political clout the organization has developed as an advocate for veterans and still serving members.

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

The two primary reference sources for membership chairmen are the General By-Laws of the Royal Canadian Legion (specifically Article II) (700101) and the Membership Manual (700340). The General By-Laws are amended after each Dominion Convention and become effective on the 1<sup>st</sup> day of October following a Dominion Convention. It is therefore imperative that a Branch Membership Chairman maintain a current set of General By-Laws.

The General By-Laws are updated every two years and the Membership Manual is updated as necessary, so it is important to ensure that you are referring to the most current version. Membership Chairmen should review the manuals in order to become familiar with both resources in their entirety.

It is not the intention of this section to give detailed instructions to the Branch Membership Chairman rather it is to give the Chairman an overview of the Membership program. Part I and Part II of the Membership manual will give you these step by step instructions and Part III will give you excellent ideas, suggestions and tips on how you can expand and promote the program in your branch.

### **Membership Programs and Initiatives**

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

When per capita is not submitted to renew a member by February 6<sup>th</sup>, the member ceases to receive the Legion Magazine and the member ceases to be in good standing if dues are not paid by January 31<sup>st</sup>. Dominion Command sends out renewal notices to all members who have not renewed for the current and immediately preceding year. The branch should contact the member and encourage renewal. Sometimes members just need to know that their membership counts and a telephone contact or card showing that he/she is part of the branch family can go a long way to restore faith in the importance of a Legion Membership.

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

Every member of the Legion is a potential recruiter of new members. It is important that they know what there is about our organization to promote. Ask yourself, are your members being kept up to date about the branches community involvement/donations, Legion programs (all programs, all levels), conventions, etc? Is this being promoted by way of bulletin boards, newsletters, websites, etc. so that not only members can see but guests as well? Do you

promote your Branch at community events? Part III of the Membership manual is an excellent reference source for the membership committee looking at setting up recruitment goals for their branch.

### **3. Mentor Program**

The mentor program developed by the Provincial Training & Organizational Development Committee has been adopted by the Provincial Membership Committee as a way to assimilate new members into the organization and to assist them to develop an understanding and appreciation for the objectives and the programs of the Royal Canadian Legion. It has been likened to a buddy system where a knowledgeable and seasoned member of the branch undertakes to welcome and to share information with the new member in a number of areas. Brochures are available from the Command Office.

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

Early Bird awards are based on the per capita submissions received and processed by Dominion Command for all types of membership. The cut off date is November 30<sup>th</sup> and the submissions must reach Dominion Command prior to December 15<sup>th</sup>. Branches are divided into the following categories: (a) 1 – 50 members; (b) 51 – 150 members; (c) 151 – 325 members; (d) 326 – 700 members; and (e) 701 members and over. This program is designed to encourage a vigorous renewal program at the branch level. Payments for new members or reinstatements for the succeeding year are not included in the percentage total for Early Bird Awards, as they are not renewals. The awards are first sent to Ontario Command and then distributed to the District Membership Chairmen for further distribution to the Branches.

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

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

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

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

### **7. Material Available**

- a. Each summer, the Dominion Membership department will send out to each branch: newsletter, early bird campaign material (such as posters, letterhead, letter template) new membership cards, promotional recruitment flyer and any new items that might be of interest, as well as the membership calendar. All of this is available free of charge from Dominion Command.

- b. Websites – There is a wealth of information on Membership on the Legion website: [www.legion.ca](http://www.legion.ca) From the home page, click on membership and you have access to reference material, forms and reports. The Ontario Command website [www.on.legion.ca](http://www.on.legion.ca) also contains a lot of information that is of interest to our members.
- c. A booklet for new members “Welcome to the Royal Canadian Legion” provides a general overview of the organization. It can be ordered from Dominion Command – order #800805.

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

Replacement membership cards and additional branch membership registers are available from Dominion Command for a nominal fee.

### **Additional Information**

- The Affiliate Non-Voting category is reserved for members who are non-Canadian citizens/non-Commonwealth subjects of an allied nation.
- No branch shall permit any type of membership other than, ordinary, life, associate, affiliate and meritorious life.
- Meritorious Life members (a category prior to June 2000-(Category to be eliminated by attrition) has voting rights at the branch level only. This means they can attend branch meetings and can vote. They may participate in sports at the branch level only but cannot hold office or transfer to another branch.
- All categories of membership must be charged the same amount; however, branches may have special rates based on age (ie: Seniors), early birds, etc., providing it is offered to all categories. A branch may also set a special rate for veterans.
- Certificates of Medical Rejection/Certificates of Medical Examination/Notices of Call/Certificates of Registration/issued by the Departments of National Defence or Labour respectively during wartime, are not to be accepted as service in the military. Certificates of this nature, denoting a Serial Number were issued for administration purposes only and are not to be construed as a Military Service Number.
- An ex-service person who declines the use of his/her service documentation to a spouse, son, or daughter, etc. renders the applicant ineligible for Associate Membership.
- The widow of an Associate Member is ineligible to apply for Associate Membership.
- An applicant who has served in the forces of an Ex-Commonwealth Country subsequent to that country receiving its independence or statehood is ineligible for Ordinary Membership.
- A member in arrears as of January 31<sup>st</sup> is not in good standing for any purpose, including participation in sports. Once the yearly membership dues have been paid, the member is considered to be ‘in good standing’, (1203.d of the General By-Laws).
- The General By-Laws make no provision whereby a Branch may refuse to accept a member’s dues except for failure to pay dues, or expulsion from the Royal Canadian Legion under Article III and/or section 202 and 203. (C&L Ruling).
- Life, Ordinary, Associate and Affiliate-Voting members ordinarily have the right to attend meetings, to vote and to hold office and to play sports. They may also transfer to another Branch, subject to the approval of the Branch to which they wish to transfer.

- Affiliate Non-Voting members ordinarily have the right to attend meetings and participate in discussions, to play sports and to request a transfer to another branch. They cannot participate in the voting process, including motions. They may not chair a committee but may participate as a member.
- The 'Branch Honorary Patron' award is awarded to honour local dignitaries and community leaders. No per capita tax is payable and no records are maintained at Dominion Command. It is not a category of membership (2002 Dominion Convention).

## ONTARIO CORRESPONDENT

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

**The Branch Correspondent** is the first link in the chain that provides the Legion Magazine with news and photos that meet the guidelines set out in a booklet entitled 'Legion Magazine, SNAPSHOTS, Guidelines for Submitting Photos and News'. The most current version of this booklet at the time of writing this manual is dated June 2008. Branch Correspondents or others involved in the submission of material for the Legion Magazine should ensure they are working with the most current edition of this booklet, when assuming this position. It is essential to do your job properly and will lead to less frustration at all levels. The booklet can be printed off the Legion Magazine website as follows: [www.legionmagazine.com](http://www.legionmagazine.com), click 'Magazine' and then click 'Contributions' then click 'Snapshots & Branch News' guidelines for submitting snapshots and branch news.

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

All correspondence submitted for consideration for publication in the magazine and sent to the Command Correspondent must be signed by the individual in question and his position or office in the branch noted. The contact information, including the telephone number/email address, should be included.

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

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

1. When submitting a branch news item or photo, please use the form which appears at the end of this section or website.
2. News information and photo captions should be typed or printed clearly using upper and lower case letters.
3. Check the spelling of all names and ensure each person is identified by a given first name or at least two initials, followed by the surname. All persons in the photo must be identified by the same format – all first names with surname OR all identified with 2 initials.
4. Attempt to answer the five W's and one H of news gathering: Who, What, When, Why, Where and How.
5. Keep a copy of all printed material submitted, including the date it was sent and a record of the person it was sent to.

6. Information for a photo caption should be attached to the photo. Do not write on the back of a photo with a ballpoint pen. Avoid using tape on the photo surface. Paper clips are not recommended. A small loop of masking tape on the back of the photo is enough to secure it to the form. Fold the form in such a fashion as to enclose the photo – **DO NOT USE TAPE.**
7. Use sufficient postage on your submission.

**EXAMPLES OF ITEMS THAT QUALIFY TO BE PUBLISHED FOR BRANCHES AND LADIES AUXILIARIES**

1. Contributions to community organizations and campaigns, e.g. Red Cross, hospitals, and other charitable groups. Include dollar amount of the donation.
2. Support for sports and youth programs, i.e., minor hockey, cadets, guides, scouts.
3. Youth Education programs, e.g. bursaries, public speaking, poster and literary contests, etc. This would also include photos of track & field meets at all Legion levels.
4. Housing projects.
5. Seniors programs.
6. Erection or refurbishing of cenotaphs and memorials.
7. Branch expansions, renovations, mortgage burnings, or hall openings.
8. Support projects, e.g., purchase of special equipment for an individual.
9. Recognition of branch or Ladies' Auxiliary achievements by the community, e.g. organization of the year awards.
10. Expansion of branch membership, through group photos only.
11. Special functions, i.e., Vimy dinners.
12. News – not photos- of the presentation of wartime memorabilia to a branch.
13. Photos of the presentation of the 50 Years Long Service Medal – **NOT THE LAPEL PIN.**
14. Long Service Awards for 60, 65, 70, 75 years – send Individual head photos.
15. Names – not photos – of recipients of the Certificate of Merit and Cadet Medal of Excellence.
16. Events marking a branch's 50<sup>th</sup>, 60<sup>th</sup>, 65<sup>th</sup>, 70<sup>th</sup>, 75<sup>th</sup>, 80<sup>th</sup>, or 85<sup>th</sup> anniversary.

## WHAT THE MAGAZINE DOES NOT PUBLISH

1. Any non-Legion function – even if it is held in a branch hall.
2. Fiction or poetry.
3. Advance notice of branch/L.A. activities, with the exception of those that qualify for the magazine's Special Events column.
4. Regimental or unit reunions. Space for advance notice of unit reunions is provided in the magazine's Unit Reunions column.
5. Branch or LA meetings, elections, resolutions or installation of officers.
6. Photos that openly display alcoholic beverages. **DO NOT PHOTOGRAPH IN FRONT OF THE BAR.**
7. Photos of LA contributions – monetary or otherwise – to the branch. The information can appear in print.
8. Remembrance Day or Poppy Campaign events. The magazine will cover the national Remembrance Day ceremony in Ottawa and one other place in Canada
9. Dated photos of an event submitted so late it could only be published a year after it occurred.
10. Members' anniversaries or birthdays, unless 100 years or older.
11. Medals awarded by the Government of Canada or other governments to individuals, even if presented at a Legion branch. The Minister of Veterans Affairs is the exception.
12. Internal branch, zone, or district sports competitions.
13. Long lists of specific branch donations; annual totals with examples of some important donation are preferred.
14. Claims of uniqueness or of a record-setting nature that are questionable and/or difficult to verify.
15. Presentation of certificates of appreciation.
16. Group photos of Honours and Awards presentations. Head-and-shoulders photos of Meritorious Service Medal, Meritorious Service Award and Palm Leaf recipients will be published on the Honours and Awards page. The names of Life Membership recipients will appear in the same section.

17. Photos showing inter-branch visits, exchanges or presentations of Friendship Awards. The information can, however, appear in print.

### **Items sent directly to Ottawa**

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

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

### **Choosing a Photo**

Photos should be:

- Well focused colour or black and white prints of events that qualify;
- Glossy photos from a photofinishing lab only to get magazine-quality reproduction;
- Cannot be photocopies, Polaroid photos, photos screened for another publication, laser prints or photos from a home scanner or printer.

Other considerations are:

- The most effective photos contain fewer than 6 people positioned against a light coloured blank wall;
- A light background is particularly important for colour photos;
- Red will produce as black if the photo is published in black and white;
- The people in the photo should be engaged in some activity related to the event;
- If Legion dress is worn, attention should be paid to how it is worn, with medals in the right place and the beret worn correctly.

### **Electronic Submissions**

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

The magazine can accept 3 electronic file formats, each of which is identified by a 3 letter extension added by your computer after the period at the end of the file name. They are as follows:

- Tagged Image Format (tif)
- Encapsulated Postscript (eps)
- Joint Photographic Experts group (jpg) **This is the simplest format to email to the Ontario Correspondent**

The preferred format is the Tagged Image Format but regardless of the format used, submitted photos must have a resolution of 300 dots per inch or higher and have a minimum width of 4.5 inches. The formula to determine the resolution is as follows: number of dots per inch of the photo divided by 300 times the width of the picture. For example, if the image has a resolution of 96 dots per inch and is 19.26 inches wide, the calculation would be as follows:  $96/300 \times 19.26$  inches = 6.16 inches. Since this would exceed the 4.5 inches minimum standard, the photo would qualify for submission. **All photos must have a caption.**

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

### **Return of Photos**

Generally speaking, photos will not be returned to the branch. An exception is made if a branch requests in writing the return of a specific photo and provides a legible return address. Allow two to three months for returns.

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

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

#### **Zones and Districts**

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

#### **Provincial Command**

Photos and news from Legion sports competitions at the provincial level are eligible, as is the launching of any new command charitable or service project. While command election results are included in the magazine coverage of provincial conventions, post-convention changes to the executive can be submitted as news. Photos of new provincial command Ladies' Auxiliary executives are also accepted for publication.

## **Complaints**

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

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

Last Post Forms are obtained from:

**Supply Department  
The Royal Canadian Legion  
Dominion Command  
86 Aird Place  
Kanata, ON K2L 0A1  
1-888-301-2257 or supply @legion.ca**

When completed in their entirety by the branch secretary, mail directly to:

**Editor,  
Legion Magazine  
The Royal Canadian Legion  
Dominion Command  
86 Aird Place  
Kanata, ON K2L 0A1**

## **Last Post Section**

The Last Post section is published as a free service twice a year (an insert in the Legion magazine in the March/April and November/December issues) in recognition of those who have served their country and to allow readers to learn of the passing of comrades with whom they served. The section is reserved for the following groups:

- Canadian citizens and Commonwealth subjects who were ordinary members of the Legion at the time of their death;
- Life members who were previously ordinary members;
- Canadian War Veterans of WWI, WWII or Gulf War who were not Legion members at the time of their death.

Last post notices must be received in Ottawa within one year of the individual's death. The onus for submission rests with each branch. Those submitting notices are urged to be thorough and accurate. Type or print to ensure legibility.

## **Letters to the Editor**

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

## **Public Service Columns**

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

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

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

**Special Events** – Announces major Legion branch, LA and Command anniversaries: 25<sup>th</sup>, 40<sup>th</sup>, 50<sup>th</sup>, 60<sup>th</sup>, 70<sup>th</sup>, 75<sup>th</sup>, 80<sup>th</sup>, 85<sup>th</sup>.

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

## POPPY

One of the obligations and responsibilities accepted by a branch when it is given its charter is to organize and carry out an annual Poppy Campaign. The object of the Poppy Campaign is to raise funds for the relief of distress among Veterans and their dependants and to preserve the memory of those who died in the service of their country. All branches shall participate in Poppy Campaigns and Remembrance Day services (Section 1101.b – General By-Laws)

### **Terms of Reference for a Poppy Committee**

Shall assist branches with the organization of an annual Poppy Campaign and ensure that only products authorized by Dominion Command are used.

Shall recommend procedures to increase the distribution of Poppies and Wreaths.

Shall recommend policy with respect to Poppy Trust Funds in accordance with the General By-Laws of the Legion.

Shall ensure that each Poppy Trust Fund Committee files an annual Poppy report form to the Provincial Command office by the established deadline date. This report is to be submitted through the Zone and District Poppy Chairmen, who will ensure that the reports are forwarded to the next level.

Shall ensure that each branch files a report to the Provincial Command office, through the Zone and District Poppy Chairmen, showing the amount of monies collected from the counter top boxes placed in all LCBO, The Beer Store outlets under their jurisdiction, as soon after November 11<sup>th</sup> as possible.

Shall ensure that all combined Poppy Trust Fund accounts and distribution of Poppy funds, which are held by multiple branches, must be reviewed by their respective Zone / District Poppy Chairman prior to forwarding onto the District Commander who will review and forward onto Ontario Command for processing.

Shall attend Poppy and Remembrance seminars and training arranged by Zone, District or Ontario Provincial Command.

It is recommended that the division of responsibilities within the Branch be as follows:

- (a) The Branch President and Executive Committee shall be responsible for the ceremony and the Remembrance Day observance.
- (b) The Poppy Chairman is responsible for ordering all Poppy supplies and arranging the details of Poppy and Wreath distribution.
- (c) All aspects of publicity for the Poppy Campaign should be the responsibility of the Branch Public Relations Chairman.

### **Branch Responsibilities for the Poppy Campaign:**

1. To make certain that the branch Poppy Campaign is the highlight of activity each year, culminating with a Remembrance Day Service on November 11<sup>th</sup>.
2. To obtain permission from the local authorities to conduct a Poppy Campaign.
3. To appoint a Chairman and to make sure that he has an adequate Committee to enable him to complete the task.
4. To instruct members regarding their individual responsibilities.
5. To use only Wreaths and emblems as authorized and made available through Provincial and Dominion Command.
6. To comply with the General By-Laws of the Legion regarding the use of Poppy Trust Funds.
7. To ensure that Poppy Trust Fund accounts are reviewed annually.
8. To submit a Branch Poppy Report Form in accordance with the General By-Laws, not later than October 31st of each year to the Zone Poppy Chairman (agent of Ontario Command).
9. To inform the public through the local media of the collection and disposition of funds each year, in recognition that these are public funds held in trust.

### **Branch Poppy Committee Responsibilities:**

1. Review the inventory on hand and determine the amount of supplies required for the campaign.
2. Order all supplies, Poppies, Wreaths, Crosses, promotional aids, etc., from your Provincial Command.

The cut-off date for bulk orders is September 15th of each year and there is no guarantee of delivery after this date. Branches should submit their complete estimated orders for immediate delivery by this date to ensure receipt of goods as required.

3. Establish a separate sub-committee for the sale and distribution of Wreaths, Crosses and Sprays. All businesses in the area should be canvassed, either by mail, telephone or personally.
4. Form a canvassing sub-committee whose responsibility will be to spearhead the maximum distribution of Poppies by street canvassing, door-to-door canvass, honour boxes in banks, schools, hospitals, etc.
5. To ensure that the membership and the Ladies' Auxiliary are involved to the greatest extent possible in the Poppy Campaign.

## Important Resource Materials

- **The General By-Laws of The Royal Canadian Legion**

Article XI of the General By-Laws provides general direction in a number of areas, including the conduct of the campaign, how funds may be used and when Provincial Command approval is required, and the fiscal year for the Poppy account. Section 617 of the General By-Laws requires the funds to be reviewed, with the report of the financial review committee being submitted within 3 months following the end of the fiscal year.

- **The Royal Canadian Legion Poppy Manual**

This is an excellent tool for the branch and in particular the Poppy Chairman and his committee. It amplifies the direction provided in the General By-Laws and provides guidance on the organization of the Poppy Campaign. It is a must-read for all Poppy Chairmen and their committees.

- **The Provincial Poppy Committee**

The Provincial Poppy Committee includes the Provincial Poppy Chairman and 9 District Poppy Chairmen. The committee meets annually and assists the branches with the organization of their campaigns and provides input and advice on Poppy procedures and policy. The members of the committee work closely with the Zone Poppy Chairmen in providing guidance to Branch Poppy Chairmen. They also monitor the completion and accuracy of the report forms submitted by the branches following their campaigns.

- **The Poppy Kit**

The Poppy kit is mailed to all Branch Poppy Chairmen in July of each year by Ontario Command and currently contains the following items:

- a) Poppy Campaign order form for the current year, showing items available and prices. Branches should complete this form and submit their *complete* order no later than September 15<sup>th</sup>.
- b) Poppy Promotional Catalogue showing pictures of most items available for the Poppy Campaign.
- c) Dominion Regalia Poppy and Wreath order form #200804 – Poppies and Wreaths are ordered using this form and the order is sent to Ontario Command. **DO NOT SEND ORDERS TO DOMINION REGALIA OR DOMINION COMMAND.**
- d) Notices regarding the permission granted by the Liquor Control Board and The Beer Store to tag and place tag coin boxes in their stores and the dates for which permission has been granted.
- e) Notices reflecting authority to place coin boxes in other stores and the dates for which permission has been granted.
- f) Instructions related to the completion of the Poppy Report Form (Poppy Trust Fund Statement – form # 200837) and two (2) Poppy Report Forms for completion.

- g) Liquor Control Board and The Beer Store form with a covering memo regarding the completion and submission of the form.
- h) A reminder notice that tagging and distribution of Poppies to the public must not begin until the last Friday in October.
- i) A reminder notice that the complete order for the branch for Poppy materials must be submitted by September 15<sup>th</sup> for delivery to be guaranteed.
- j) Samples of some of the no charge items.
- k) Special use expenditure request form.

### **Joint Campaigns**

Where a group of branches conducts a Poppy Campaign or where a branch or group of branches conducts a Poppy Campaign in conjunction with any other organization, at least one voting member from each branch participating in such campaign shall be appointed by each branch to administer the Poppy Trust Fund. To ensure that Veterans' needs remain as confidential as possible, one of the signing officers of the Poppy Trust Fund account shall be an officer or past officer of any of the participating branches. The Poppy Trust Fund shall be deposited in a separate account in a financial institution approved by the branch or branches. (Section 921 of the Provincial By-Laws)

### **Ordering Branch Poppy Supplies**

All Poppy Campaign items are ordered on proper order forms from Ontario Provincial Command, 89 Industrial Parkway North, Aurora, Ontario, L4G 4C4 or by fax at: 905-841-9992.

When Poppy shipments emanate from the Dominion Command supplier, freight is prepaid. When a branch is specific about the means of transportation, it shall incur all shipping expenses.

Freight is prepaid and charged on the invoice for shipments emanating from the Command office.

Interest at the rate of 1% per annum is charged on the unpaid balance, applied against all outstanding Poppy accounts, 30 days following the date of the statement commencing January 1<sup>st</sup> of the year following the campaign. Wreaths, Crosses and Poppies are HST exempt. Other items as applicable are subject to HST, which branches can apply for redemption.

With the exception of promotional materials, branches shall use only Poppy Campaign material supplied by Dominion Command or its authorized supplier. Branches must order these supplies through Ontario Command. **Do not send orders or payments directly to Dominion Command or the Dominion Command supplier.**

A branch using any product that is not manufactured by an approved supplier in its Poppy Campaign, other than promotional material, shall forfeit the right to hold future Poppy Campaigns, at the discretion of the Provincial President.

**To order Poppies and Wreaths -Complete the Poppy and Wreath Order Form # 200804 and send this to Ontario Command, no later than September 15<sup>th</sup>.**

**To order campaign items and promotional material (other than Poppies and Wreaths) –** Complete the Poppy Campaign Order Form and send to Ontario Command, **no later than September 15th**. French material is available.

### **The Start Date for the Poppy Campaign**

Poppy distribution to the general public will commence no earlier than the **last Friday in October** and conclude on November 11<sup>th</sup> (Section 1101.c General By-Laws).

The ceremonial presentation of first Poppies to the Governor General and Lieutenant Governors will take place at ceremonial functions as arranged by the Commands at the most appropriate time (Section 1101.d General By-Laws). If a branch is planning a ceremonial presentation of the first Poppies to local dignitaries it should be arranged to occur, where possible, no earlier than the ceremonial presentation of first Poppies to the Governor General and Lieutenant Governor of Ontario.

### **The Policy of the Liquor Control Board of Ontario:**

*"To permit Branches to display counter top collection boxes and Poppies in all liquor retail outlets within the Ontario Command from November 1st to November 11th and tagging privileges on Board property, the Friday and Saturday preceding November 11th".*

**Contact the local Store Manager(s)** in your area, to arrange for the mechanics of distribution.

**Do not write to the Liquor Control Board head office for this permission.** Any correspondence relating to this matter should be directed to Ontario Command.

Branches placing counter top boxes in L.C.B.O. outlets within their jurisdiction shall provide the Command office with the amount collected, store number, city or town and address as soon after November 11th as possible. (Board Policy)

### **The Policy of The Beer Store.:**

*"The Royal Canadian Legion has been accepted as a partnered charity for the month of November annually". Branches may therefore display counter top collection boxes and Poppies in all Beer Stores within the Ontario Command from November 1st to November 11th and are permitted tagging privileges on their property, the Friday and Saturday preceding November 11th.*

**Do not direct correspondence to The Beer Store for this permission,** as correspondence relating to this is done at the Command level.

Branches placing counter top boxes in The Beer Stores within their jurisdiction are required to provide to the Command office a report showing the amount collected, the address of the outlet and store number as soon as possible after November 11<sup>th</sup> of each year.

## **Reporting Requirements for Branches**

- Poppy Trust Fund Statement:

All branches are required to submit a Poppy Trust Fund Statement (form #200837) to Ontario Command through their Zone Poppy Chairmen. The branch retains pink copy; the white, green and yellow copy of the Poppy Trust Fund Statement must be submitted to the Zone Poppy Chairman by **October 31<sup>st</sup>**. The Zone Poppy Chairman checks the form and once satisfied that the beginning balance used matches the ending balance from the previous report that the figures reconcile, etc., he keeps the yellow copy and passes the white and green copies onto the District Poppy Chairman. The District Poppy Chairman again reviews the form and keeps the green copy and sends the white copy to Ontario Command for tabulation before February 15<sup>th</sup>.

- Liquor and The Beer Store Report Form:

The permission for our branches to place counter top boxes in the Liquor Control Board and The Beer Store is conditional on our reporting the amounts collected from their outlets. These reports must be submitted by the Branches through their Zone Poppy Chairmen within 30 days following the end of the current year's campaign.

**Please ensure that your Branch reports are submitted to your Zone Poppy Chairman by the required deadlines.**

If a Branch fails to submit a Poppy Report Form to Ontario Provincial Command by October 31<sup>st</sup> each year covering its activities from October 1<sup>st</sup> of the previous year to September 30<sup>th</sup> of the current year, shall forfeit the right to hold future Poppy Campaigns.

A branch which forfeited the right to hold a Poppy Campaign in accordance with the foregoing, may appeal such action to the Administrative Committee.

### **Funds raised in the Poppy Campaign**

Each branch shall appoint a Poppy Trust Fund Committee to administer the Branch Poppy Trust Fund and such committee shall consist of not less than three voting members of the branch and the Branch Poppy Chairman shall be a member of such committee. The Branch Poppy Committee Chairman shall be one of the three signing officers for disbursements of the Poppy Trust Fund account. (Section 921 of the Provincial By-Laws)

The financial year for Poppy funds shall be October 1<sup>st</sup> to September 30<sup>th</sup>.

All monies received from a Campaign shall be deposited in a separate trust account in one or more of the banks, trust companies or other institutions referred to in Section 131 of the General By-Laws. (Section 1102. a.)

Poppy Trust Funds may be held for a short term in government or corporate bonds or other readily transferable securities authorized by the appropriate legislative body for the investment of trust funds. Investments are normally considered to be short term when held for less than one year.

Poppy Trust Funds must be reviewed annually and should include a complete statement of the funds and investments held. A copy of the reviewed statement shall be submitted to the Zone Commander at his annual visitation.

Accrued interest from a Poppy Trust Fund account shall not be diverted or transferred to any other account or for any other uses.

Zones or District may not impose a levy against any branch from their Poppy Trust Fund. Zone and Districts are administrative levels only and are not constituted to administer Poppy funds. Poppy Trust Funds are administered by branches and commands only.

### **Disbursement of Funds raised in the Poppy Campaign**

The Poppy Manual provides an extensive list of items for which Poppy funds may be disbursed and another extensive list of items for which Poppy funds may not be used. It is imperative that Poppy funds only be expended for approved uses. When in doubt, please clarify in writing through Ontario Provincial Command office. All Special use expenditures must be authorized by Ontario Command and are defined in Sections 1105-1115 of the General By-Laws and Section 402 of the Poppy Manual.

The Special Use of Poppy Funds Application form has been developed within Ontario Provincial Command for requesting and approving special use expenditures. The most recent form is available on the Ontario Command website : [www.on.legion.ca](http://www.on.legion.ca) under the member's area or by calling Ontario Command.

### **The Do's of the Poppy Trust Funds**

**1) The Basic purpose and obligations of the Poppy Trust Fund are to assist the following persons:**

- Any person who is serving or who honourably served in Canadian Forces and their dependants who are in need of assistance;
- Merchant Navy personnel who are eligible for and who have been awarded campaign stars or decorations, and their dependants who are in need of assistance;
- Ex-service personnel of Commonwealth countries who are resident in Canada, and their dependants who are in need of assistance; and
- Ex-service personnel of allied countries who are resident in Canada, and their dependants who are in need of assistance.

*The funds may only be used for emergency assistance, which is defined as shelter, food, fuel, clothing, prescription medicine and necessary transportation. Assistance cannot be offered over an extended period of time but may be offered more than once to an individual.*

- 2) The promotion of Remembrance of the sacrifices of Veterans. This would not provide for branches to subsidize Veterans, teachers or students to participate in battlefield tours from Poppy Trust Funds;
- 3) Funding of the Two Minute Wave of Silence program at all levels of Legion;
- 4) The expenses of the Branch Service Officer/Veterans Services Chairman that are directly related to Service Officer work;
- 5) The awarding of bursaries to students who are children, step children or grandchildren of any of the personnel as identified in item # 1 above, who are in need of assistance. Bursaries may be awarded at any stage of a college or university program. A bursary is given for need, unlike a scholarship which is based on scholastic achievement.
- 6) Purchase of Poppies, Wreaths, promotional materials for the annual Poppy Campaign;
- 7) Reasonable local administrative costs associated with the Poppy Campaign. These local costs are only those directly related to the campaign – defined telephone charges, coin wrappers, postage, stationery, advertising, bank charges, and soft refreshments and light lunches for canvassers and/or volunteers, defined as coffee and juice, soup and sandwiches or donuts. Other administrative costs of a similar nature may be considered;
- 8) Predetermined storage cost of Poppies, Wreaths canvassing supplies and promotional aids can be found in the current Poppy Manual.
- 9) Distribution of Poppy and Remembrance material as authorized by Dominion Command to be used in schools;
- 10) Reimbursement of reasonable expenses of Poppy Chairman or, if required, his replacement to attend Poppy Seminars and a maximum of one Service Bureau seminar in any given year;
- 11) Reasonable expenses incurred for the required financial review of the Branch Poppy Trust Funds;
- 12) Prizes for the Literary and Poster contests;
- 13) Comforts for veterans and their widows/widowers who are hospitalized, in long term care, in a nursing home or who are incapacitated and are being cared for at home. These comforts are defined as food items (confectioneries, fruits, sweets, etc.), reading material, flowers, personal toiletry items, writing materials, short-term TV rental and other items of a similar nature. For veterans who are confined in a facility for a long period of time (over one month) other special items of comfort (such as a special blanket/comforter) may be considered. The provision of a TV and/or cable service to a Veterans' wing may also be considered.

## **SPECIAL USE EXPENDITURES**

**All Special use expenditures listed below (items #1-14) require the approval of Ontario Command.** Ontario Command has developed a Special Use form for this request as noted earlier in this section. Please submit your request on the Special Use request form and complete all necessary areas and attached required documentation. Prior to the Poppy campaign during which funds are collected for special use purposes, notice must be given to the public that a portion of the funds collected may be used for the purposes noted below. Poppy funds may be donated to the Charitable Foundation of the Ontario Provincial Command Branches and Ladies' Auxiliaries.

### **The Special Use expenditures are as follows:**

**Housing Accommodation or Care Facilities:** Subject to prior approval of the Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50% of the balance in the Poppy fund on September 30<sup>th</sup> in the Poppy year preceding the expenditure, to purchase, construct, repair or furnish housing accommodation and care facilities, including hospital wards/rooms for the elderly or disabled persons. The 50% limit does not apply to a registered Veterans organization whose aims and objectives are for providing accommodation or care facilities for Veterans and their dependants.

**Ex-service Personnel of Commonwealth or Allied Countries and their Dependant:** Subject to prior approval by Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 25 % of the balance in a Poppy fund on the date prior approval is requested preceding the expenditure, for the purpose of assisting ex-service personnel of Commonwealth or Allied Countries and their dependants, who are resident outside Canada, and are in need;

**Medical Training and Medical Research:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches, may make an allotment not exceeding 50% of the total available in a Poppy Trust Fund on the date prior approval is requested preceding the expenditure for medical training and medical research directed to geriatric support, or for community medical appliances such as 'jaws of life, photo imaging cameras and defibrillators which will assist the care of Veterans;

**Drop-in Centres and Meals on Wheels:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches, may make an allotment not exceeding 50% of the total available in a Poppy Trust Fund on the date prior approval is requested preceding the expenditure for support of drop-in centres for the elderly, or support of meals on wheels services only as long as these provide known support of Veterans in the community;

**Relief of Disasters:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches, may make an allotment not exceeding 50% of the total available in a Poppy Trust Fund on the date prior approval is requested preceding the

expenditure for donations for relief of disasters declared by the federal or provincial governments;

**Transportation:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches, may make an allotment not exceeding 50% of the total available in a Poppy Trust Fund on the date prior approval is requested preceding the expenditure for donations for transportation of veterans for medical appointments and/or compassionate reasons.

**Restoration/Repair of Monuments:** Subject to the prior approval by Provincial Command, a district, zone, branch or group of branches may, for the purpose of constructing, maintaining, and preserving local monuments to Veterans, expend a portion of the monies in Poppy trust account, not exceeding 25% of the total available in the account on 30<sup>th</sup> day of September in the year preceding the expenditure provided that the allocated 25% does not exceed 50% of the total funds required to construct, maintain and preserve local monuments to Veterans.

**Support of Cadet Units:** Subject to the prior approval by Provincial Command, a branch may make an allotment of up to 20% of the balance in a Poppy Trust Fund account on September 30<sup>th</sup> in the year preceding the expenditure to support Cadet Units that have assisted the branch with the Poppy Campaign.

**Annual Veterans Visits:** Subject to the prior approval of the Provincial Command, Poppy Trust Funds may be used once per year to provide an annual visit to branches for veterans, who are Legion and non-Legion members in the local community, to offer a meal and camaraderie. The Poppy Trust Funds may be used to cover the cost of the meal only and must not include any alcoholic beverages or other services, such as entertainment. Furthermore, subject to the prior approval of the Provincial Command, Poppy Trust Funds, may be used once per year to cover the reasonable cost of transportation expenses to transport the local veterans to the local branch;

**Personal Lifting Devices:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50% of the balance in a Poppy Trust Fund on September 30<sup>th</sup> in the Poppy year preceding the expenditure, to cover the cost of the installation, maintenance and repair to personal lifting devices installed in branches for the purpose of assisting persons with disabilities.

Furthermore, subject to prior approval by Provincial Command, branches are authorized to use Poppy Trust Funds to provide accessibility to the branch itself by veterans, their dependants and other persons with disabilities through the installation of an access ramp to the branch entrance and by installing or retrofitting the branch's main entrance with a handicap door operator. If necessary, funding for a replacement door in this instance only is also authorized.

Furthermore, subject to prior approval of the Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50% of the balance in a Poppy

Trust Fund on September 30<sup>th</sup> in the Poppy year preceding the expenditure, to cover the cost of the installation, of a washroom door, toilet, sink for the purpose of assisting Veterans, their dependants, and other persons with disabilities. (Effective October 1<sup>st</sup>, 2012)  
Furthermore, subject to prior approval of the Provincial Command, be extended to be used for the upgrading of small, outdated bathroom facilities to allow the Veterans that can now access the branch, the ability to access the washroom facilities when they attend functions held by the branch. (Effective October 1<sup>st</sup>, 2012)

**Call to Remembrance:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50% of the balance in a Poppy Trust Fund on September 30<sup>th</sup> in the Poppy year preceding the expenditure for the purpose of supporting the Call to Remembrance program;

**Coin Sorting Machine:** Subject to the prior approval of the Provincial Command, Poppy Trust Fund may be used to purchase a coin counting/sorting/wrapping machine for use in supporting the annual Poppy Campaign. Approved funds will be limited to a maximum of 10% of the cost of the machine.

**Veterans Reading Program:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may for the purposes of funding a Veteran's Reading Program for students, expend a portion of the monies its Poppy Trust account not exceeding 5% of the excessive funds after all expenses are paid for as of September 30<sup>th</sup> in the Poppy year preceding the expenditure;

**Canadian Military Family Resource Centres:** Subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may, for the purpose of supporting Canadian Military Family Resource Centres, expend a portion of the monies in its Poppy Trust account not exceeding 10% of the total available in a Poppy Trust Fund on September 30<sup>th</sup> in the Poppy year preceding the expenditure for site specific non-funded programs.

## **The Don't of the Poppy Trust Funds**

### **Poppy Funds May Not Be Used For The Following:**

- a) Associate members are not eligible to receive assistance from Poppy Trust Funds unless these persons are residing with their parents, they are wholly dependent upon them for support and they are not receiving welfare assistance, a pension from any government source, or funds from employment insurance, or a similar program. In short there are few, if any associate members who meet this criteria;
- b) Affiliate members are not eligible to receive assistance;
- c) Expenses incurred for Remembrance Day or Decoration Day ceremonies;
- d) The purchase of floral tributes or wreaths for deceased veterans or their families;

- e) The payment for funerals or miscellaneous funeral home expenses;
- f) Payment for the services of a bugler/piper at the funeral service of veterans;
- g) Lunches or refreshments related to the funeral services of veterans;
- h) Hot meals and alcohol-based beverages for Poppy Campaign organizers, workers and volunteers;
- i) The purchase of cemetery lots, flag poles and accessories;
- j) The purchase of headstones, grave markers, memorial plaques for cenotaphs and honour roll plaques for schools;
- k) The payment of property taxes for veterans or widows;
- l) Money for death benefits funds at branches;
- m) Home care, housekeeping services or grounds keeping, such as grass cutting, leaf raking, snow removal, etc.;
- n) Recreational pursuits and bus tours for veterans;
- o) Donations to community events, schools, youth groups, public speaking events or Legion oriented programs;
- p) The purchase of equipment for showing Remembrance films;
- q) The provision of loans;
- r) The funding of Scholarships;
- s) Any expenses incurred at Conventions;
- t) Renovation of branch premises, with the exception of the installation and maintenance of a lift/elevator system and the washrooms as outlined in #10 under the Special Use section;
- u) General and non-specific donations to charities, be they registered or not, that do not meet the criteria listed under the permissible section;
- v) A public address system at the cenotaph;
- w) The purchase of comforts for senior citizens in hospital or nursing homes;

- x) Public service projects such as donations to churches, memorial funds, recreational facilities, furnishings and non-medical equipment for hospital wards/rooms, hospital building funds, food banks;
- y) The purchase of war medals.

**NOTE:** The lists of permissible and non-permissible uses of Poppy Funds are not exhaustive. Where doubt exists, it is suggested that a written clarification be requested from Ontario Provincial Command office.

### **Prohibited Expenditures:**

It is prohibited to commit to Poppy Trust Fund expenditures in advance of any Poppy Campaign.

### **Registration of Poppy Funds:**

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

Branches contemplating the registration of their Poppy Funds may obtain the application to register the fund as a charity through the Canada Revenue Agency – Charities Division as follows:

Go to the web site: [www.cra-arc.gc.ca/charities](http://www.cra-arc.gc.ca/charities)

Scroll to the bottom of page - select: Forms and Publications related to Charities

Forms: Listed by number: **T2050** Application to Register a Charity under the Income Tax Act.

The completed application form should be sent to Ontario Command, as it is a prerequisite that a letter confirming the status of the Fund from Provincial Command be attached to the application. ***Do not mail directly to the Canada Revenue Agency.***

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

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

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

## **District and Zone Poppy Chairmen**

The following guidelines should assist the District and Zone Poppy Chairmen in carrying out their duties:

### **Duties - District Poppy Chairmen:**

**June**                    Ensure that all branches in the zone advise the Command and Provincial Poppy Chairman with the name and address of their Branch Poppy Chairmen. The Provincial Poppy Committee meeting is normally held on the last Saturday in June but may be held on another date to accommodate Dominion Convention.

**August**                Following receipt of the Poppy Kit, the District Poppy Chairman should convene a seminar of their Zone Chairmen to familiarize them with the current campaign, its aims and objectives and methods to obtain maximum wreath orders.

A discussion regarding the distribution of lapel Poppies, a house to house canvass, schools, industries, etc., and a mail campaign to branch membership and their families.

Review the Poppy Kit with the Zone Chairmen in order to acquaint them with the contents and the use of same.

Information pertaining to the expenditure of Poppy Funds to be discussed.

**September**            Enquire of the Zone Poppy Chairmen, in writing, as to whether or not any of the Zone or Branch Poppy Chairmen requires the personal assistance of the District Poppy Chairman in the organization of their campaign.

Advise Zone Poppy Chairmen regarding the completion of Branch Poppy Report Forms.

**October**                Ensure that branches submit a completed Poppy Report Form to Provincial Command, not later than October 31st of each year through the Zone and District Chairmen. Ensure that each Zone Poppy Chairman in the District has thoroughly reviewed the branch reports to ensure they balance and that the opening balance of the current year's report is consistent with the closing balance from the previous year's report.

**November**            Encourage Branch and Zone Chairmen to make known any suggestions that they may have to improve subsequent campaigns.

Ensure that the Branches have completed their Liquor Control Board / The Beer Store reports and submitted these reports through their Zone Poppy Chairmen.

Provincial Command will underwrite the expenses of the District Poppy Chairmen only, in the carrying out the duties of their office.

**Duties – Zone Poppy Chairmen:**

**June** Ensure that all branches have advised the Provincial Command, the Provincial and District Chairmen of the name, address and telephone number of each Branch Poppy Chairman.

**August** A seminar with all Branch Poppy Chairmen in the Zone should be convened to discuss methods of improving their local campaigns and to share ideas.

**September** Ensure that all branches in the zone are aware of the proper procedure to be followed when ordering Poppies, Wreaths, promotional material and supplementary supplies and that all Branch Poppy Chairmen have received their Poppy Kits and are familiar with its contents.

If a Branch Poppy Chairman has not received his kit, advise your District Poppy Chairman or Provincial Command.

Assist your branches in the promotion and distribution of Wreaths and, if necessary, to organize a house to house canvass and mail campaign.

Advise branches of the necessity of having the youth of the community assist in the Poppy Campaign.

**October** Liaise with other branches in order to determine if any problems are being encountered with orders and if any omissions have been made in the filling of same. Advise Command immediately of any shortages.

To make certain that branches have completed a Branch Poppy Report Form and that they are returned to Command (via the Zone and District Poppy Chairmen) in accordance with the General By-Laws. The Zone Poppy Chairman should review all Branch Poppy reports to ensure that the report balances and that the opening balance of the current report matches the closing balance from the previous year's report.

To establish contact with branches on Poppy Day to ensure that the campaign is being conducted in a proper manner.

**November** To ensure that each branch within the zone has completed the Liquor Control Board/The Beer Store report form and that the forms are passed from the branch to the Zone Poppy Chairman and then to the District Poppy Chairman.

The expenses of the Zone Poppy Chairman are the responsibility of the Zone.

**Remembrance Day**

Ontario Provincial Command through its Executive Council and convention has frequently reviewed the issue of whether Remembrance Day should be recognized as a provincial holiday. The majority decision has always been not to support including Remembrance Day as a statutory holiday. The primary reason for this policy has been that our members feel that school children are far more apt to participate in Remembrance activities within the school setting than if it was just another day off for families.

## PROPERTY COMMITTEE

The Provincial Property Committee is appointed by the Provincial President consisting of a Chairman and two members, who review all submissions, from branches under the Legion Act 1990, regarding sale of property, leasing etc, and also applications for Short Term Loans. The details for the requirements of the branch are found elsewhere in this manual and branches should allow 30 days for a response from the Property Committee and ensure all of the required documentation is submitted to avoid causing a delay. For purchase, lease or sale agreements a clause **must** be included to indicate such transactions are subject to the approval of Ontario Command with the 30 day period included.

### Terms of Reference – Property Committee

The Property Committee will consist of a Chairman and two members. The mandate of the committee will be as follows:

- a) To establish the procedure to be followed for branches that wish to sell, renovate, lease or mortgage property, to include the following:
  - A written request to the Ontario Command office with 4 copies of the Notice of Motion and minutes of the General meeting that has approved the motion to sell, lease, etc. The property.
  - A copy of the financial statements of the branch for the past 2 years.
  - A business plan including precise information on how the loan, lease etc. will be repaid and specifying if lottery funds have been considered.
  - A budget for the next fiscal year.
  - A copy of all pertinent documentation i.e. sale/lease agreement, mortgage document, etc.
  - The name, address, telephone number, etc. of the branch lawyer who is providing legal advice, etc.
- b) To review all requests from branches involving the sale, renovation, leasing or mortgaging of branch property. **BEFORE ANY COMMITMENTS ARE MADE BY THE BRANCH AND BEFORE ANY DOCUMENTS ARE SIGNED.**
- c) To refer, where warranted, copies of the **UNSIGNED PROPOSED** leases, sale agreements, etc. to Dave MacDonald and Associates, for his review and comments.
- d) To recommend the assistance/intervention of the Branch Advisory Committee, where indicated, before proceeding further.

- e) To approve /confirm compliance with the Legion Act 1990 and the procedures of Ontario Command for the sale, leasing, mortgaging etc., of the property

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

- Branches may apply to Ontario Command to borrow funds to address short-term cash flow problems;
- The application will be received by the Ontario Command property Committee and loans will be determined on a case by case basis but may not exceed \$ 15, 000.00. Note: Any requests that surpass the maximum amount allowed will be reviewed by the provincial Property Committee and referred to the Provincial Admin. Committee for approval or otherwise, along with their recommendation.
- The loan must be repaid within one year and interest will be paid and interest will be charged at 2% per annum;
- A covering letter must be submitted with the application providing an overview of the current situation of the branch, why the funds are needed and how the branch foresees repayment within the one year period;
- The branch must submit a current balance sheet and statement of income and expense for the current fiscal period including the last three months;
- Branches must comply with the By-Laws and Legion Act 1990 requirements for borrowing, unless an emergency exists;
- The Property Committee will consult with the District and Zone Commander for information purposes; and
- The loan will be made available from the fund allocated to command for this purpose from residual assets of a branch when it surrenders its charter.

**NOTE: There must be six (6) copies of all documents being submitted to Ontario Command.**

## **BRANCH CONSTRUCTION / RENOVATIONS**

Branch construction projects may involve the purchase of property and the erection of a new building, the purchase of property and the renovation of an existing building, the leasing of property and completion of leasehold improvements or simply the renovation of an existing building on land already owned by the Legion. The projects may be funded from existing capital reserves or investments, through the sale of property, or through borrowing or mortgaging of property. Sometimes branches are confused about the procedural requirements for branch construction projects.

The following scenarios will hopefully assist the branch in determining the applicable procedures:

1. Branch renovations of less than \$10,000 for existing branch building to be funded from branch reserves (no borrowing required)

- Requires approval of the general membership before any commitments or expenditures are made.
  - Does not require notice of motion or approval by Ontario Command.
2. Branch renovations of more than \$10,000 in the fiscal year for existing branch building to be funded from branch reserves (no borrowing required)
- Requires notice of motion mailed to all members in good standing at least 7 days prior to the general meeting at which the notice is presented for discussion and a vote.
  - Requires approval of the general membership by a simple majority and approval of Ontario Command prior to any commitments being made.
  - See the following paragraph –“Procedures for Borrowing, Mortgaging, etc”
3. Branch renovations where any borrowing is required
- All borrowing requires a notice of motion mailed to all members in good standing at least 10 days prior to the general or special general meeting at which the notice is presented for discussion and a vote.
  - Approval of the general membership by a 2/3 majority of those present and eligible to vote and approval by Ontario Command is required before any commitments are made or expenditures incurred.
  - See the following paragraph –“Procedures for Borrowing, Mortgaging, etc”
4. Branch construction projects involving the purchase/sale or leasing of property
- All purchases, sales or leasing of property require a notice of motion mailed to all members in good standing at least 10 days prior to the date of the general or special general meeting at which the notice is presented for discussion and a vote.
  - Approval of the general membership by a 2/3 majority and approval by Ontario Command is required before any commitments are made.
  - See the following paragraph –“Procedures for Borrowing, Mortgaging, etc”
5. Large projects (over \$10,000) requiring the services of an architect/consultant
- Prior to property being purchased or the services of an architect or consultant being engaged, a motion which has been presented to a previous meeting by way of notice and mailed to each member, shall include:
    - (a) the proposed purchase price of the property, as applicable;
    - (b) the estimated cost of the new building or renovation in accordance with the ability of the Branch to pay;
    - (c) the name and address of the architect and/or consultant to be engaged.

- A Branch is not authorized to expend any funds with respect to its program either by way of purchase of property or the hiring of an architect and/or consultant until this motion has been approved.
- Following approval of the above motion, the branch will engage the services of an architect and/or consultant and obtain a price for the drawing of plans in accordance with the funds approved by a branch general meeting.
- When this estimate has been received, the branch will again proceed by way of notice of motion to a general meeting, such notice of motion to include the following details:
  - (a) The names of the chairman and members of the Branch Building Committee;
  - (b) The total cost of the project in accordance with the information received;
  - (c) A statement of the assets of the branch as per the audited financial statement as of May 31st in the preceding fiscal year;
  - (d) The amount of mortgage required and relevant interest rate;
  - (e) A business plan.
- A copy of such notice of motion shall be mailed to each member in good standing, together with the date of the general meeting which will consider the notice of motion. A copy of each notice of motion, together with certified copies of the minutes of the general meeting rendering branch approval by a 2/3 majority, is to be forwarded to the Provincial Command.
- All expenditures from the building fund in excess of \$10,000 during the course of the fiscal year must have written approval from Ontario Command prior to the commitment of the expenditure to the project. The branch must therefore submit to Ontario Command the following information for review:
  - a) A copy of the notice of motion, mailed to all members in good standing.
  - b) A certified copy (signed by the President and Secretary) of the minutes of the general meeting at which the notice was put forward.
  - c) A certified copy of the minutes of the general meeting at which the notice was approved by a simple majority (where no borrowing is required) or a 2/3 majority (where borrowing is required).
  - d) A copy of the financial statements for the past 2 years.
  - e) A business plan which details how the loan will be repaid if borrowing is involved.
  - f) A copy of all pertinent documentation (purchase/lease agreements, mortgage agreement, quotes for proposed construction/renovations, etc.)

- g) The name and address of the branch lawyer involved in the transaction (required for sale/purchase of property associated with branch construction).

**PROCEDURE FOR BORROWING, MORTGAGING, LEASING OR CONVEYING REAL PROPERTY FOR REVIEW BY THE PROPERTY COMMITTEE OF ONTARIO COMMAND**

1. A notice of motion must be proposed at a General Meeting of the Branch specifying the details of what is proposed.
2. The notice must be mailed to all members in good standing at least 10 days prior to the General or the Special General Meeting at which the matter will be discussed and voted on.
3. If the matter is approved by a two-thirds majority, the Branch must submit 4 copies of the following information to Ontario Command:
  - a) A copy of the notice of motion, mailed as per item # 1 above.
  - b) A certified copy ( signed by President and Secretary) of the minutes of the General Meeting at which the notice was proposed and a certified copy of the minutes of the General Meeting at which the Notice was approved by a two-thirds majority.
  - c) A copy of the audited financial statements of the branch for the past 2 years.
  - d) A business plan ( including precise information on how the loan, lease, etc., will be repaid and specifying whether lottery funds have been considered through an application to the licensing authority for use of funds under *the more than 2% policy* and/or *the building fund policy*).
  - e) A budget for the next fiscal year.
  - f) A copy of all pertinent documentation (i.e. sale/lease agreement, mortgage document, etc.)
  - g) The name, address, telephone number, etc., of the branch lawyer who is providing the legal advice, etc.
4. The Ontario Command Property Committee then reviews all documentation and confirms in writing if the Branch has complied with the Legion Act 1990. Branches must receive the approval from Ontario Command before committing to the lease, sale, purchase, etc.

## **PUBLIC RELATIONS COMMITTEE**

“As far as The Royal Canadian Legion is concerned, Public Relations is the active effort to provide Legion members, the public and the news media with accurate, timely information about Legion policies, programs and activities in order to create and maintain support and understanding for those policies, programs and activities. Another way of putting it might be to say that public relations are the active process of creating and maintaining a positive image of The Royal Canadian Legion.” (The Royal Canadian Legion Public Relations Manual & Speaker’s Guide, order number 700315)

Public relations programs at any level of the Legion requires a 2 pronged approach, which includes internal communications to the members and officers so that they are aware of and understand the Legion’s programs and activities and policies and an external communications plan for the public and the media to understand what the Legion is all about.

Public relations officers at all levels should endeavour to support and assist the other standing committees to develop material that will promote the Legion to the public. Our ability to attract new members is highly dependent on effectiveness of our PR programs at all levels. The Royal Canadian Legion Public Relations Manual & Speakers Guide and Speakers Guide and fact books are a must-read for PRO’s and can be ordered from the Dominion Command supply department.

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

- The *Provincial Chairman* shall be a member of the Provincial Executive Council and the Dominion Command Public Relations committee. He is responsible to the Provincial President and the elected officers of Ontario Command for an efficient and successful PR committee.
- The *Provincial Committee*, under the umbrella of the PR Chairman, shall consist of the following:
  - one District PR Chairman from each district (9)
  - one LA representative
  - a Vice President Ontario Command ( member)
  - the Ontario Correspondent, Legion Magazine
  - a Secretary to the committee to record the minutes of the PR committee
- The Manuals and Materials for PR Information to the committee are as follows:
  - 1) Updated rules for judging the ‘Bulletin and Scrapbook’ contests, with current forms and the Legion week circular and information, as updated each year and can be found on the Provincial website for printing.
  - 2) The Royal Canadian Legion Public Relations Manual and Speakers guide (#800989, as updated from time to time).
  - 3) The Ontario Command Legion Officers’ manual.
  - 4) PSA’s on Remembrance can be found on the Dominion website.
- Promotional items can be ordered from Dominion Command

- The Public Relations committee should strive by all proper means to be in a position to obtain maximum publicity for our branches, zones and districts within Ontario Command. The committee should make use of resource materials available outlining the programs and contributions made by the Legion and its membership to the community. Provincial Media Kits are available through the command office and electronically on the command website.
- The members of the committee must be open, honest and accessible in all dealings with the media. The Legion's long term interests are best served by building and maintaining 'good will' in the community and above all 'communication'.

### **Provincial Bulletin and Scrapbook Award Competition**

#### **Entry Rules:**

- 1) The competition shall be open to all Branches and Ladies Auxiliaries in their submission of:
  - a) Bulletins or newsletters, regardless of their size, content or method of printing, note item 5.
  - b) Scrapbooks
- 2) Entries shall be judged by a committee appointed for this purpose by the Provincial Public Relations Committee and its decisions shall be final.
- 3) Entries in the first five (5) classifications shall be classified in accordance with the **TOTAL** voting strength as of December 31st of the preceding year and judged accordingly. The membership totals shall be taken from the membership print out issued by Dominion Command.
- 4) A plaque shall be awarded to the Branch or Ladies' Auxiliary that publishes the best bulletin or scrapbook in each classification at the provincial level.
  - (i) **Bulletin Category:**

a)	<b>Class "A"</b>	–	R.A. "Dyke" Kennedy Memorial Award
b)	<b>Class "B"</b>	–	McIntyre Hood Award
c)	<b>Class "C"</b>	–	Leo Cunningham Memorial Award
d)	<b>Class "D"</b>	–	Ladies' Auxiliary Award
e)	<b>Class "E"</b>	–	Ontario Command Award
	<b>Scrapbook</b>	–	Ontario Command Award

#### **Scrapbook Category – Ontario Command Award in each Class "A" to "E"**

- (ii) The Len Taylor Memorial Trophy and a Keeper Plaque shall be awarded to the branch publishing the best bulletin among all entries.
- (iii) The first (1<sup>st</sup>) runner-up in each category of the bulletin contest shall be awarded a general excellence plaque.

- (iv) An Ontario Command Award plaque to be awarded to the winners in the Scrapbook Contest at Provincial level, 5 classes 'A' to 'E'.
- (v) Three (3) different bulletins (issues) only, issued by the Branch or Ladies' Auxiliary during the fiscal year shall be submitted to the District Public Relations Chairman. The judging of bulletins at District level shall be undertaken by the Public Relations Chairman and his/her committee from another District. The Chairman will select the best entry in each classification and forward same to the Provincial Chairman no later than **July 31<sup>st</sup>** of each year.
- (vi) Classifications are noted hereunder
 

<b>Class "A"</b>	-	1001 members and over
<b>Class "B"</b>	-	701 to 1000 members
<b>Class "C"</b>	-	401 to 700 members
<b>Class "D"</b>	-	151 to 400 members
<b>Class "E"</b>	-	150 members and under
- (vii) Bulletin entries shall be marked with the Branches or Ladies' Auxiliary name, number, address, editor's name, classification, etc., and addressed to your District Public Relations Chairman, with the notation, **"Bulletin Entry, Class "A", "B", "C", "D" or "E", no later than June 15<sup>th</sup> of each year.**
- (viii) The Scrapbook contest is open to all Branches and Ladies' Auxiliaries and entries must be marked with the Branch or Ladies' Auxiliary Name, Number, Editor's Name, Classification, etc. Entries shall be forwarded to the respective District Chairman, **no later than June 15<sup>th</sup> of each year.**

### **GUIDELINES FOR JUDGING OF BULLETINS**

Due consideration should be given by the judges to the facilities that a branch may have for producing a branch bulletin and you will note that only 20 points are allotted for appearance. A bulletin that is produced on a duplicating machine may not have the appearance of a bulletin that has been printed by a printer but may contain better material and would, therefore, be eligible for a greater number of points.

Bulletins and scrapbooks shall be judged on Branch/Ladies' Auxiliary information (reports or notices of branch activities, humour, special features, contributions, editorial comments, cover, front pages or masthead) and impressiveness (printing, layout, typography, pictures, illustrations, legibility, cartoons, etc., in accordance with both score sheets).

The scrapbook should be of a reasonable size and contain current year material **ONLY**. A size comparable to a standard photo album is recommended. All Branches/Ladies' Auxiliaries, no matter what the membership may be are eligible in this category.

Return all other judging sheets and results, with your comments, to the District Chairman who forwarded them to you. Without this pertinent material, the District Chairman cannot determine District awards.

**ENTRY FORM FOR THE BULLETIN CONTEST**

**THREE (3) DIFFERENT COPIES OF THE BULLETIN TO BE SUBMITTED**

Branch or Ladies' Auxiliary Name and Number (circle one) \_\_\_\_\_

Title of Bulletin \_\_\_\_\_

Bulletin Editor \_\_\_\_\_

Class "A" \_\_\_\_\_ "B" \_\_\_\_\_ "C" \_\_\_\_\_ "D" \_\_\_\_\_ "E"  
\_\_\_\_\_ Class A - E

(1001 & over)      ( 701-1000 )      ( 401-700 )      ( 151-400 )      ( 150 & under)  
Bulletin

"Based on Dominion Command Membership totals as at December 31<sup>st</sup> of the previous calendar year".

Frequency of Issue \_\_\_\_\_ Monthly \_\_\_\_\_  
Quarterly \_\_\_\_\_  
Other \_\_\_\_\_

\_\_\_\_\_  
Bulletin Editor

\_\_\_\_\_  
Zone

\_\_\_\_\_  
District

**Entries MUST be forwarded to your own District PRO**

*Revised 2012*

**THE ROYAL CANADIAN LEGION**  
**ONTARIO PROVINCIAL COMMAND**

Branch or Ladies' Auxiliary. # \_\_\_\_\_

Three different issues of the bulletin from June 1 – May 31 for the year of the competition coverage are to be submitted to qualify.

Required Bulletins for submission must also appear as they are delivered to membership, Example: if only black and white copies are sent, those are what must be submitted. Entries must not be dressed up for the judge's benefit. **All submissions must be sent to your District PRO Chairman.**

**CLASSIFICATION AND METHOD OF JUDGING FOR**  
**BRANCH BULLETIN AWARD COMPETITION**

CLASSIFICATIONS

CLASS (A)	-	1001 MEMBERS AND OVER
CLASS (B)	-	701 MEMBERS TO 1000
CLASS (C)	-	401 MEMBERS TO 700
CLASS (D)	-	151 MEMBERS TO 400
CLASS (E)	-	150 AND UNDER

BULLETINS ARE TO BE JUDGED ON THE FOLLOWING BASIS

(A MAXIMUM OF 100 POINTS SHALL BE AWARDED AS FOLLOWS)

(1)	GENERAL IMPRESSIVENESS .....	20
(2)	GENERAL INFORMATION .....	<u>80</u>
	TOTAL	100

(1)	<u>GENERAL IMPRESSIVENESS</u>	<u>MAX.</u>	<u>YOUR SCORE</u>
	(A) PRINTING AND LAYOUT .....	5	_____
	(B) USE OF PICTURES, ILLUSTRATIONS, CARTOONS, ETC.....	5	_____
	(C) NAME AND FRONT PAGE DESIGN.....	<u>10</u>	_____
	SUB TOTAL	20	
(2)	<u>GENERAL INFORMATON</u>		
	(A) REPORTS OR NOTICES OF BRANCH and or L.A. ACTIVITIES:		
	PAST	15	_____
	FUTURE	15	_____
	(B) HUMOUR, SAYINGS, PROVERBS, MAXIMS.....	15	_____
	(C) CONTRIBUTIONS AND SPECIAL FEATURES.....	10	_____
	(D) EDITORIALS - LEADERSHIP.....	10	_____
	(E) ACTIVITIES SPONSORED AT OTHER LEGION LEVELS:		
	TRACK & FIELD, SPORTS, YOUTH EDUCATION, BURSARIES, ETC.		
	DOMINION	2.5	_____
	PROVINCIAL	2.5	_____
	DISTRICT	5	_____
	ZONE	<u>5</u>	_____
	SUB TOTAL	<u>80</u>	
	TOTAL	100	_____

Rev. 2012

**SCRAPBOOK**  
**ENTRY FORM**

Branch/Ladies' Auxiliary Name and Number \_\_\_\_\_

Scrapbook Cover, Include Branch No. and Name \_\_\_\_\_

Scrapbook Editor \_\_\_\_\_

Class "A" \_\_\_\_\_ "B" \_\_\_\_\_ "C" \_\_\_\_\_ "D" \_\_\_\_\_ "E" \_\_\_\_\_ Class A - E  
(1001 & over) ( 701-1000 ) ( 401-700 ) ( 151-400 ) ( 150 & under) Scrapbook

"Based on Dominion Command Membership totals as at December 31<sup>st</sup> of the previous calendar year".

\_\_\_\_\_  
Scrapbook Editor

\_\_\_\_\_  
Zone

\_\_\_\_\_  
District

*Revised 2012*

THE ROYAL CANADIAN LEGION  
ONTARIO PROVINCIAL COMMAND

BRANCH/LADIES' AUXILIARY # \_\_\_\_\_

**SCRAPBOOK**

Rules and Score Sheet

This is a "**PHOTOJOURNALISTIC**" Scrapbook proving that your Branch/Ladies' Auxiliary has indeed received publicity during the past fiscal year (include name/s and date/s of newspaper/s). This is not a "**GENERAL**" Scrapbook contest to judge an individual's creative/artistic ability, nor painstaking. Scrapbook entry must be accompanied by an official "Entry Form" and a "Judging Form" properly filled in/out. Items clipped from your local newspaper/s re your Branch/Ladies' Auxiliary may be augmented by a camera photo and/or Branch/Ladies' Auxiliary bulletin board poster (that must be in good taste and socially acceptable), e.g., glasses of drinks are acceptable, but nothing showing logos of manufacturers. Photographs of members and guests should not indicate their degree of sobriety. Suggestion for use of event flyers, when adding these, add a photo or two of the event. Note: Please omit in camera dates on photos or make sure dates are accurate.

1. Scrapbook contents are to be a photojournalistic chronicle of the Branch/Ladies Auxiliary activities and only for the current fiscal year.
2. All items included in the Scrapbook are to reflect only the activities of your own Branch/Ladies Auxiliary, and not the Legion in general, unless it has a direct bearing on the activities being depicted.
3. All activities must be accompanied by a headline. All photos **must be** accompanied by a cut line indicating first and last name, left to right and front to back.
4. When the program of a Branch/Ladies Auxiliary activity is inserted, the complete program should be included, e.g., Remembrance Banquet Program, Charter Anniversary, Legion Week in Ontario Program, etc. Scrapbooks and properly filled in/out "Entry" and "Judging" Forms are to be forwarded to **your own District Chairman**, to be judged by the chairman and his/her committee. The "Winning Scrapbook ONLY" from each district is to be forwarded to the Provincial P.R. Chairman, immediately, following district judging.
5. Points will be awarded for each activity displayed:
6. Scrapbook entries, Class A – E, Revised 2012

Overall Appearance and Cover	25
Activities, i.e., Legion Week, Christmas/New Year's Parties Valentines, St. Patrick's, Easter, Elections/Installations, Children's Parties, Youth Events, Public Speaking, Track and Field, Remembrance/Veterans Banquets/Visits/etc. Fundraising Events, Community Involvement, (donations and event support), Canada Day.	50
<u>EDITING</u> : Titles/Headlines	10
Cut Lines	15
<i>Revised 2012</i>	TOTAL 100

**COMMENTS OF JUDGES**

## **Legion Week**

*Legion Week* is normally held in the third full week of September. It is provincial in scope and the promotion of this program rests with the Provincial Public Relations Committee and Public Relations Committees at all levels. It provides our organization with the opportunity to let the public know about our tradition of service to our veterans and the community. Ontario Command provides photos of the Premier, the Dominion President, and the Provincial President along with their messages and a Legion Week Proclamation; these can be used in the local media to promote the activities and events planned for this week. An all branch circular is issued to the branches well in advance of *Legion Week* with an explanation of the purpose of this event and with suggestions for branches to make the week a success.

## **Websites**

Dominion Command's website address is [www.legion.ca](http://www.legion.ca). Ontario Command has appointed a provincial web site coordinator and each district has appointed a representative to coordinate the flow of information to the provincial web site coordinator. The Ontario Command website address is [www.on.legion.ca](http://www.on.legion.ca). There is a wealth of information on both these web sites. The Ontario Command coordinators and the entire web design team are all volunteers.

Information is routinely posted to e-legion for branches (president or his designate) and provincial executive council members. If you have lost the e-legion information and password, please contact Dominion Command. All branch circulars issued by Dominion Command are posted on the bulletin section of the Dominion website ( [www.legion.ca](http://www.legion.ca)).

## **Dominion Command Public Relations Plan 2010 – 2012**

The 2010-2012 plan includes the following projects:

- Committee support through the production of materials, radio/TV PSA's, etc., to support the committees and departments at the dominion level.
- Provincial Command and Branch support through updates to current materials, provision of speech material for special events, training to commands on a cost-shared basis.
- Research to maintain an accurate profile of the Legion with bi-annual surveys, omnibus polls, random polling of Legion members, etc.
- Internal Communication through the maintenance and update of the Internet site, making it more effective and useful to the members, branches, commands and the public.
- External communication to the general public and targeted audiences on the Legion's purposes and programs, using media where appropriate to convey accurate information about the media.
- Sponsorship of a Legion show for troops overseas, for the military's national sports awards, Operation Santa Claus for deployed troops away from home at Christmas time, a Canada day equivalent, and the Nijmegen marches.

## **SPORTS**

The Sports Program is designed to allow branches, large or small, to be competitive against each other, create goodwill, comradeship and to exemplify good sportsmanship.

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

To encourage friendly competition at Branch, Zone, and District levels leading to Provincial and Dominion Championships;

To foster a complete recreational program in which all members and branches may participate;

To encourage each branch to sponsor minor sports programs within their respective community.

### **Terms of Reference:**

To organize a series of inter-branch sports to progress to Zone, District, Provincial Play-offs and to set dates, locations and appoint convenors for each;

To recommend amount of entry fees and assessments, where required;

To recommend rules and regulations governing the operation of various sports;

To hold seminars, in co-operation with District Commanders, to protect our sports program.

### **All Levels of Sports:**

#### **Competitors**

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

Eligible members must be in good standing and have their membership card for the year in which the championship is being held in their possession at the site of the championship.

#### **Transfers/New/Reinstated Members**

To be eligible to play, members who have transferred must have been members of their new branch as of January 31<sup>st</sup> of the year preceding the year of the championship. In other words, in order for the member to participate at a Dominion Championship to be held in April 2012, he must have been a member of his branch as at January 31, 2011.

It has been recognized that a rigid application of the above criterion can be unfair. Exceptions have been authorized to permit members in the following circumstances to participate:

- a) an eligible member, in good standing, who is a member of a branch that was required to surrender its Charter to Dominion Command and the member has transferred to another branch shall enjoy the same rights and privileges he would have enjoyed had the Charter not been surrendered and the branch dissolved.
- b) a member, who retires or who has been transferred by his employer, or whose personal circumstances dictate a change of employment or permanent residence, is eligible to participate at Dominion Member Sport Championships. The member must provide on demand proof that the transfer was initiated by the employer and that he was a member of a branch at his former place of residence on or before January 31<sup>st</sup> of the year proceeding the year in which the competition is to take place. The member must also confirm that he is changing his permanent place of residence.
- c) further to (b) above, the member has one year of grace, from the effective date of retirement, change of employment and/or permanent residence, to transfer his membership to his new branch and be eligible to play sports immediately.
- d) Amalgamated Branches – As per Section 616 i of the General By-Laws, all members of the branches shall become members of the amalgamated branch as of the date of amalgamation. Therefore, the transfer rules will apply to any member who chooses to transfer to a different branch rather than maintaining their membership at the amalgamated branch.

### **Branch and Zone Sports Guidelines**

Branch sports are the sole responsibility of the Branch Sports Officer, and his committee. The Sports Officers can be appointed or elected. In either case he should be chosen with care and should be someone who is interested in sports and have a good knowledge of Legion autonomy (i.e.) have full knowledge of membership requirements for a member to participate in all levels of Legion sports.

The Branch Sports Officer should be able to organize and oversee sporting events within the branch and choose dates for his events so they do not conflict with other branch events.

A complete and detailed list of the responsibilities is available in the District & Zone Sports Officers Training Guide.

1. It is the responsibility of the Sports Officer to keep records of the branch sporting activities e.g. who qualifies to go to a higher level of competition, etc
2. Keep accurate financial records, making sure your financial records are available at all times to the Branch President, Executive, and Financial Review Committee.
3. Branch Sports Officers assist Zone, District or Provincial Officers with ALL sports held in your Branch.

4. The Branch Sports Officer must ensure that representatives of their branch are properly registered for Zone, District, Provincial and Dominion levels of sports, and registration is in on time.

### **Composite Branch Teams**

The members of a team shall belong to the same branch and shall represent that branch within their parent command. An exception to this criterion is as follows:

- Any branch with 100 or less members in any one zone, or district where no zones exist, and who cannot field their own team may pick up a maximum of two players from any other branch within their zone, or district, where no zone exists with the intent of creating a team (for the smaller Branch) for the purpose of Legion competitive play.

### **Zone Sports Officers**

All Zones sports events are under the chairmanship of the Zone Sports Officers.

A detailed list of the responsibilities is available in the District & Zone Sports Officers Training Guide.

1. To ensure that the participants are eligible according to the requirements as set forth by Ontario Command;
2. To ensure that ALL branches that have qualified for zone sports receive a written notice (registration form) showing date, time, place, entry fee and final date for entries to be received.
3. Set dates for sporting events in the zone and notification of said dates to each branch within that zone. (dates must be set in conjunction with branches hosting events);
4. Assist the district or provincial sports officers at any sports events being held in their respective zones;
5. Rules and regulations are different in various zones; all sport officers must adhere to those rules in their respective zones;
6. Keep accurate financial records that can be checked by an authorized officer (i.e.) Zone Commander or Deputy Zone Commander;
7. Submit a financial report after each zone tournament, within 10 days to the Zone Commander;
8. Have financial records audited at the end of each fiscal year and provide a copy to the Zone Commander.

## **District Sports Officer Duties And Responsibilities**

All district sporting events are under the responsibility of the District Sports Officer or his Deputy.

A complete and detailed list of the responsibilities is available in the District & Zone Sports Officers Training Guide.

1. Set the dates for all district events and send notices of the events to all zones and branch officers and provincial.
2. Preside at all district sports events.
3. Ensure all participants meet the membership requirements as per the Provincial Sport's Manual.
4. Attend all provincial sports meetings when required. Submit reports and notices three weeks prior to the meeting.
5. Assist the provincial sports officer at any provincial events held in his/her district.
6. Keep accurate financial records of each sports tournament and provide a copy to the District Commander within 10 days of the event.
7. District Sports Chairmen are to complete an accurate financial statement. Make financial records available to the District Commander or his representative upon request and to present them at district convention.
8. Submit district assessment payments to Provincial Command prior to the provincial tournaments.

## **Provincial And Dominion Sports Levels**

### **Team Composition**

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

A team shall consist of a minimum of four players to a maximum of five players with the fifth person being no expense to Dominion or Provincial Command;

- a) "EXTENUATING CIRCUMSTANCES" those that are beyond one's control, happening just prior to the Dominion Championships and certainly after the completion of the Provincial Command Championships. Playing in another tournament is not an extenuating circumstance.
- b) If the Provincial Command Sports Representative is in attendance and is capable of participating in the sport, he will be permitted to play as a substitute; or

- c) If a Provincial Command Sports Representative is not present or capable of participating, the host will provide the substitute as provided for in the Regulations and Technical rules of each sport.

### **Entry Fees**

Competitors are not required to pay an entry fee at a Dominion Sports Championship.

### **Dominion Cribbage**

A four-person team shall represent Ontario in the Dominion Cribbage Tournament and the singles and doubles entries shall be selected from the team.

### **Eligibility to Compete in Provincial Command Sports Events**

#### **Competitors**

1. All members, as defined in the General By-Laws of the Royal Canadian Legion (which provides that members shall be allowed to participate in sporting activities, providing dues are paid by January 31<sup>st</sup>) shall have the right to compete in our Provincial Sports Program, subject to any eligibility rules listed herein and to any Branch By-law or House rule that does not contravene any By-Law or Regulation of a higher level of Command.
2. Members must have their dues paid and be in possession of their membership card or a receipt covering it for the year in which the event is held. (e.g., if a Dominion or Provincial tournament is held in 2012 and the qualifying round at zone or district level is held in 2011, a 2011 membership card will suffice).
3. Teams, Doubles or Singles competing in Provincial Sports must produce a letter signed by the Branch President and Secretary or Membership Chairman, certifying that all participants are members in good standing. Competing members must produce their current membership card or receipt, upon request.
4. New members (including reinstated members) who join a branch after January 1<sup>st</sup> in any year have the right to participate in all sports at all levels. A 'new member' is a person who has been duly proposed, seconded, accepted by the executive and members of a branch at a general membership meeting, initiated and his dues and per capita tax has been paid to Dominion Command.
5. Members who have or are in the process of transferring to another branch are ineligible to compete in our Provincial Sports Program, until they are members of their new branch as of January 31<sup>st</sup> of the year preceding the championship.
6. Any branch, upon the examination of evidence presented, that is discovered to be using an ineligible player(s) in any Legion sport, shall be suspended from participating in that particular sport the following year in which the infraction occurred. The branch in question shall be informed of this decision within seven (7) days (an Administrative Committee decision).

**Note:** Spares are not authorized to participate in Provincial Tournaments at any level. Where it is deemed necessary to provide a substitute, the convenor or host branch will furnish it.

## Entries

All entries must be on proper Legion sports entry forms. All entries for sports must be made by cheque not cash.

All entries must be submitted through your sports officer to the next level (e.g., branch to zone to district) and be in the hands of the Provincial Convenor appointed for that specific sport, within the specified time limit (two (2) weeks prior to the date of the tournament).

### **ALL ENTRIES MUST BE RECEIVED BY THE DEADLINE.**

When two teams from the same branch compete in a play-off, neither team shall be permitted to strengthen the remaining team when one of the teams is eliminated.

In the event of more than one "bye" being given in different sports, only one "bye" will be given to each district, zone or branch, whichever the case may be, and the teams from the same district, zone or branch will not be matched against each other in the first round of eliminations where possible.

The host branch may be allowed to enter a team in Cribbage and Euchre events to make up an even draw should there be a last minute no show and that team will be eligible for prizes ONLY. (Entry fee must be paid. -- Should this team win tournament--second place team would HOST the following year if eligible, also represent the Province in a Dominion Tournament).

All cheques for Provincial Tournaments to be made payable "District Sports" (the host District) and sent to the tournament convenor.

Any changes to the entries must have a new registration form signifying the changes to be made and signed by the President and Secretary.

Entry Fees will NOT be returned to a branch when an entry becomes a "No Show" on the day of the tournament. If a team reports to play after tournament has commenced this will be considered a "No Show", unless convenor was notified prior to commencement of play.

If a player / team does not complete all their matches in Round Robin Play, all future games against that player or team shall become BYES and any completed games against the player/team wins or losses shall revert to BYES.

If any team, single, or double withdraws from a tournament **after** starting it **or** does not show up **without just cause, and or** does not notify the Convenor, or District Sports Officer, the Convenor or District Sports Officer will forward a letter to the President of the branch concerned, recommending the individual(s) be dealt with at the branch level.

## **Host Convenor Responsibilities**

The Host Convenor for all Provincial Championships will be the District Sports Officer.

If the District Sports Officer cannot attend he will make arrangements for his Deputy or replacement.

A complete and detailed list of the responsibilities of the Host Convenor is available in the District & Zone Sports Officers Training Guide.

1. Ensuring that the host branch has suitable facilities for the event and to ensure that the branch has sufficient volunteers and staff are available to assist the convenor throughout the day and it is further requested that the Branch President or Vice-President be in attendance to welcome the participants.
2. It shall be the responsibility of the Host Convenor to forward to Provincial Command, in time (three weeks prior to) for the Provincial Sports Meeting a copy of the circular to be made available to the members of the Provincial Sports Committee for circulation to the branches of each Provincial Championship to be held in their area.
3. He will be required to convene the event, ensure that all participants are eligible to compete, register the players, purchase prizes and awards if necessary and to meet the needs or requirements (supplies) in order to conduct the tournament in question.
4. The Convenor will explain the rules governing the sport in question prior to commencement of play in order to clarify any possible misunderstanding or delays in the day's program.
5. The Convenor to advise players at the beginning of the tournament to turn cell phones to vibrate, not to use iPods, headphones, etc during play.
6. If it is deemed necessary by the Convenor a time limit may be placed on any or every game, either before or anytime during the tournament.
7. Where it is deemed necessary to have a co-chairman in attendance at a Provincial Sports Tournament, the Zone Sports Officer shall act as same. (1987 Convention Mandate).
8. Complete an accurate financial statement (Finance Report Form) and record the results right after of hosting the provincial tournament. It should be submitted within (15) fifteen days with the proceeds (cheque) from the tournament to Ontario Command. Cheques are to be made payable to "Royal Canadian Legion Ontario Command".

## **Hosting of Provincial Finals**

Where Regular and Senior events are held together, the Regular tournament winners will host in the ODD numbered year and the Senior in the EVEN numbered year.

The Branch winning the previous year shall host the Provincial finals in all sports, IF THEY HAVE THE FACILITIES OR CAN ARRANGE THE FACILITIES WITHIN A REASONABLE DISTANCE AND BE IN COMPLETE CONTROL OF HOSTING THE EVENT.

(Accommodations, size of playing area, equipment in playing areas such as bowling lanes, golf courses, and costs of it and time of availability are classified as facilities on a whole). Otherwise, the hosting will go to the next branch in order of finish that is capable of being host the event. With the exception of Youth Darts; to be held on rotational bases through participating District A through K.

The host branch or provincial champions from the previous year do not have the privilege of defending its championship UNLESS it qualifies in the district play-offs.

A format of what is required by host branch will be given by the District Sports Officer to the Branch Sports Officer and the Branch President.

The host branch, where possible will supply a pacer team in Cribbage, Euchre, Lawn Bowling, Golf, Horseshoes, and 5 and 10 Pin Bowling. Should there be a last minute “no show” this pacer team will take the entry of the “no show” and would be eligible for prizes only. Should this team win the tournament, the second place team would host the following year if eligible and represent the province in the Dominion tournament.

## **District Assessments for Dominion sports**

Where a district fails to submit district assessments in Cribbage, Darts and 8-Ball to the Provincial Sports Fund prior to the provincial tournament in question, the district entry shall be prohibited from participating in it.

## **Protests**

All protests must be filed within 48 hours by telephone, and in writing, by fax or e-mail within 7 days of the incident, with the Provincial Sports Chairman, District and Zone Sports Officer, whichever is applicable, the convenor of the play-off and the defending team. The protesting team, along with protest must post a fee of \$50.00 made payable to Provincial Command; fee shall be refunded if the protest is successful. Result of protest will be determined by the combined decision of the above Sports Officers.

Where protest is against the convenor at zone, district or provincial level, the protest shall be lodged with the Provincial Sports Chairman.

## **Prizes**

Provincial Command will provide prizes for 1st. and 2nd. Place Regular and Senior depending on the number of entries in each category, with the exception of all two people teams for provincial play-offs.

The Provincial Sports Committee will determine entry fees and assessments annually.

## **Notes:**

No provincial tournament shall be conducted on the weekend in August of Warrior's Day Parade, usually the third Saturday.

The Provincial Sports Program shall be self-supporting.

District Sports Officers will file their district reports with Command office three weeks prior to the date of the Provincial Sports Meeting.

District Sports Officers will not be reimbursed expenses for their attendance at a sports banquet unless they are the guest speaker for the event in question and Provincial Command has approved the invitation.

Where possible SPORTS OFFICERS SHOULD NOT PARTICIPATE in any tournament of which they are convening. This safeguards arguments and any conflict of interest.

Good sportsmanship should be the prevailing attitude throughout all sports events and tournaments.

## **Provincial Sports Meeting**

The annual Provincial Sports Committee meeting shall be held on the fourth (4<sup>th</sup>) Saturday in September each year.

## **Manuals for the Sports Program**

The following manuals are available to assist sports officers, etc., to understand the Legion sports program at the Dominion and Provincial levels:

- a) Dominion Command Sports Guide – item no. 700249 can be ordered through Dominion Command.
- b) The Ontario Command Sports Manual – the complete sports manual is distributed to the District Sports Officers, who in turn, provide copies for all Zone Sports Officers. Also available on the Ontario Command website [www.on.legion.ca](http://www.on.legion.ca) under members sports.
- c) The Ontario Command District Sports Officers Training Guide available exclusively to the District Sports Officers through Ontario Provincial Command office.

# ONTARIO COMMAND TRACK AND FIELD PROGRAM

## Track and Field Committee

The Track and Field committee shall consist of the following:

- Provincial President, Provincial Vice-President, Provincial Track and Field Chairman
- 9 District Track and Field Chairmen
- Secretary to the Track and Field Committee

The term of office for the Provincial and District Track and Field Chairmen only, shall commence on August 1<sup>st</sup>, following a Provincial Convention until July 31<sup>st</sup> of the next Provincial Convention year.

Track and Field Committee meetings shall be held in conjunction with the two Provincial Meets.

## Track and Field Meets

The Ontario Command will host two Annual Provincial Track and Field Meets.

The date of the **summer meet** will normally be the 2<sup>nd</sup> or 3<sup>rd</sup> Friday, Saturday in July.

The date of the **winter meet** will normally be the *last Saturday in January*, subject to the availability of the track facilities.

The Royal Canadian Legion will have the sole authority as to who shall be eligible to compete in all competitions they organise.

The Provincial Track & Field Committee will be the final authority on eligibility.

An athlete who resides outside Ontario Command (not USA) and is attending school within Ontario Command jurisdiction may participate in the Ontario Legion Track and Field Program. The athlete may not participate in any other command's Track and Field Program that year.

The age groups (2) of the athletes at the Ontario Command Meets will be age 12 – 17, as per Dominion Command guidelines:

- *Youth* - 17 and under as of Dec. 31 in year of competition
- *Midget* - 15 and under as of Dec. 31 in year of competition

A District (except District D) will be chosen to host the summer meet. The District Chairperson will act as or appoint a meet director.

District D will host the winter meet. The District Chairman will act as or appoint a meet director.

A schedule of events for the summer meet will be presented and approved at the winter meeting prior to the meet. Changes to the summer meet organization will be requested by the meet director at this time.

A schedule of events for the winter meet will be presented and approved at the summer meeting prior to the meet. Changes to the winter meet organization will be requested by the meet director at this time.

### **Summer Meet**

- All athletes competing in the Provincial Meet must be residents of Ontario, except as previously noted.
- All athletes must have participated in their District meet (may be entered in other events that they did not compete in at the discretion of the District Chairman).
- Districts are allowed a maximum of 2 entries per event.
- Athletes are allowed to enter a maximum of 3 events.
- Athletes found competing in more than one District meet per year will be disqualified from the Provincial Meet.

### **Winter Meet**

- All transportation and/or overnight accommodation costs incurred by the athletes/coaches/chaperones to the winter indoor meet are the responsibility of the Branch, Zone, District, Track Club, Parent or athletes/coaches/chaperones and not the responsibility of Ontario Command.
- All athletes competing in the Provincial indoor meet must be residents of Ontario, except as noted earlier.
- Each District is allowed a maximum of *five (5)* athletes per event.
- Athletes are restricted to a maximum of three events.
- Athletes found entered by more than one district will be disqualified from the meet.
- Athletes in the 15 and under age group may move up an age group for the following events: Pole Vault, Race Walk.

### **Rules for Summer and Winter Meets**

When entering the athletes into the Provincial meet, the District chairperson is responsible to assure that the entries are done correctly (i.e., seed performances, dates of birth, etc., must be entered for all athletes).

The appropriate forms relating to liability releases, insurance, etc., as approved by the Track and Field Committee, must be completed by all athletes prior to participate. Athletes will not be allowed to compete without having met this requirement.

No substitutions or changes can be made after a date set by the meet director and approved by the provincial committee.

All entries must be submitted by the District Track and Field Chairman, over his/her signature. Entries are to be submitted to the Entry Chairman, as designated by the Meet Director.

### **Awards**

Medals will be awarded to the first three finishers in each event. These are the only awards permitted.

## ONTARIO COMMAND RESPONSIBILITIES

Ontario Command will assume the costs for the items listed below (all other expenditures must be approved by Ontario Command prior to the meet taking place, no exceptions):

- All necessary track equipment required to conduct the meet. This would include track rental, photo timer, athlete's numbers, wind gauge, starting shells.
- The committee secretary will ensure that there is liability insurance coverage for the meet and will provide the meet director a copy of the certificate for the host facility.
- A reception at the summer meet only for officials and committee members at a cost of \$ 6.00 per person for approximately 40 persons held on the Friday or Saturday evening, with the meet director/host chairman extending invitations to the officials. No reception is held at the winter meet.
- Medals suitable for presentation to 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> place winners.
- Expenses of officials within reason. Local officials are to be used where possible and **ONTARIO ATHLETICS (OA) rates will apply for all non-local officials**. Ontario Command approval is required for out of town officials, prior to the meet taking place (usually this should never exceed 10 officials). Any expense incurred by an official must have the approval of the host meet director and the Provincial Chairman.
- Medical officials as predetermined by Ontario Command.
- Travel allowances (summer meet only) may be paid by Ontario Command from the central location in each District.  
A- Windsor,      B – Hamilton,      C – Harriston, D – Toronto,      E – Orillia,  
F – Peterborough,      G – Cornwall,      H – Sault Ste. Marie      K – Cochrane.

One additional night where travel exceeds 665 km from the central point in each location will be paid by Ontario Command. **NOTE:** The distance of travel is that shown on an updated map of Ontario as issued by the Ministry of Transportation.

- Any other expenses must be approved by Ontario Command prior to the meet taking place.  
*\*\*\*All contracts to be signed must have the approval of Ontario Command.*

## **HOST DISTRICT RESPONSIBILITIES**

A suitable eight (8) lane all weather track (summer).

The ability to provide accommodations and meals for up to 450 athletes and coaches, who require an overnight stay.

### **Accommodations**

The host committee will organize the following regarding accommodation:

#### **Meet Hotel**

- to provide enough rooms for the Provincial Track and Field Committee for the duration of the meet (double bed accommodation)
  - Provincial President
  - Provincial Ladies' Auxiliary President
  - Provincial Vice President - assigned to the track and field committee
  - Secretary of Track and Field Committee
  - Provincial Track and Field Chairman
  - Nine District Track and Field Chairmen
  - Provincial Public Relations Chairman
- to provide enough rooms for the *Ontario Athletics* officials invited to the meet.
- to arrange for rooms for the chaperones & coaches who will be accompanying the provincial team, if required.
- to arrange for a meeting room at the hotel *or the local branch* for the Provincial Track & Field Committee meeting, time to be confirmed with the Secretary to the committee.

#### **District Accommodations**

- provide a list of 5 or 6 hotels and motels to accommodate the 8 districts coming in to the meet, include block booking for approximate number of rooms needed.
- 18 rooms per district to cover the athletes, coaches, chaperones and bus driver
- total number  $8 \times 18 = 144$
- provide details for each hotel/motel, including price per room, number of people per room, food available at the hotel, other services available at the hotel/motel.
- state any deadlines for bookings.
- advise each hotel / motel that the District Meets are at the latest two weeks prior to the Provincial Meet and notification of team lists from the districts which might be one week prior to the arrival of the teams.
- if the host district needs some rooms, book them as well.

## **Officials**

The host district is responsible for obtaining all officials necessary to conduct the meet.

- Senior officials, *Ontario Athletics* registered i.e. photo timing, referee's etc. may be brought in if necessary.
- Suggested maximum 10 officials- 2 per room, brought in from out of District. Prior approval of Provincial Chairman and Secretary of Track and Field Committee is needed.
- Minor officials **must** be obtained locally.
- There must be first aid assistance in attendance.
- Provide for recorders and clerical assistance, including photocopy capabilities.
- Provide copy of results of each event to allow for posting of results within 20 min. of finishing of event.
- Provide copy of final results only (no heats or preliminary results) of each event ASAP to Secretary of Track and Field Committee to allow for presentation of medals.
- At the end of meet, provide copies of complete results to all District Chairmen and Provincial Committee members.

## **Additional responsibilities of the host district**

Provide an enclosed area for Provincial Chaperones and Coaches to meet with and register all potential Ontario Team members.

Have available all incidental equipment necessary to conduct the meet.  
(Rakes, tape measures, wind gauge's, hurdles, starting blocks, etc.)

Provide a reception for all officials and committee members on the Friday evening of the summer meet. (See Ontario Responsibilities)

The host district shall maintain complete accounting records and submit detailed statements for payment to Provincial Command. A cash advance may be available from Ontario Command, as is deemed appropriate. Any surplus is to be returned.

The Provincial President or his duly appointed representative will be in attendance at the Provincial Meet.

## **General Rules**

Districts wishing to host the Provincial Meet are required to submit an application two (2) years in advance.

All District meets are to be completed no later than two (2) weeks prior to the Provincial Meet. District Meets must have insurance coverage. This may be obtained through Provincial Command at least 8 weeks prior to the date of the meet. All expenses related to the district meet are an expense to the district.

Each District must ensure that there is a minimum ratio of one Chaperone/Coach for every 10 athletes entered in the Provincial Meet.

District colours must be worn at the Provincial meet.

District 'A' – White with Red Trim	District 'B' – White with Green Trim
District 'C' – Royal Blue	District 'D' – Maroon and White
District 'E' – Gold	District 'F' – Red
District 'G' – Yellow	District 'H' – Green
District 'K' – Grey with Maroon Trim	

Misconduct of athletes at the Provincial Meet may leave them ineligible for selection to the Ontario Team. Any damages caused by inappropriate behaviour will be the responsibility of the District that the athlete is representing and the athlete himself.

Athletes are to be advised that proof of age may be required at both Provincial and National Championships.

### **Funding**

Provincial Command covers: (Maximum 40 athletes and 4 Chaperone/Coaches)

1. A meal allowance of \$20.00 per person for the weekend.
2. \$30.00 per person per night for room allowance.
3. A second night is allowed if travel is over 665 km from the central point of the District
4. If travelling requires three days, an additional meal allowance of \$20.00 is provided.
5. The cost of one bus, from the central point. To be pre-approved by Provincial Command.  
(Send in quote from bus company)

Central Locations in each district is noted hereunder:

District 'A' – Windsor	District 'B' – Hamilton
District 'C' – Harriston	District 'D' – Toronto
District 'E' – Orillia	District 'F' – Peterborough
District 'G' – Cornwall	District 'H' – Sault Ste. Marie
District 'K' – Cochrane	

Districts, Zones and Branches may choose to subsidize the above funding to send more athletes to the meet maximum entry per event.

If a branch decides to subsidize an athlete directly by giving money to the athlete, such donations should be a maximum of \$20 to an Ontario Meet (Winter or Summer), and \$50 to the *National* Meet.

The pay-out of above funds is at the discretion of the District Chairman.

## **Legion National Youth Track & Field Championships**

Funding is shared by Dominion Command and Provincial Command (70% – 30%)  
Dominion Rules require that we select 40 athletes, 4 Chaperones and 2 coaches.

Districts may put forward the names of persons recommended to be chaperones at the *National* meet.

Criteria for these positions are available on request.

Districts may put forward the names of persons recommended to be coaches at the *National* meet.  
Criteria for these positions are available on request.

## **Selection Criteria for Ontario Team**

All winners of events (except M15 and F15 Triple Jump) will become members of the selection pool. This pool normally has 45 to 52 athletes.

The following is the order of selection to the *Legion National Youth Track & Field Championships*:

1. First Place Athletes - double & triple winners.
2. All remaining athletes in the selection pool will have all of their performances compared to the *National* Results for the past 5 years. Athletes will be ranked based on this comparison.

Example: Jane Smith wins the 200m 15 and under in 25.78 sec.

Over the last 5 years this would have placed 2<sup>nd</sup>, 4<sup>th</sup>, 4<sup>th</sup>, 2<sup>nd</sup>, 1<sup>st</sup> = 2+4+4+2+1= 13 pts.

Paul brown wins the 1500m 17 and under in 4:02.15 min.

Over the last 5 years this would have placed 5<sup>th</sup>, 4<sup>th</sup>, 6<sup>th</sup>, 3<sup>rd</sup>, 3<sup>rd</sup> = 5+4+6+3+3= 21 pts.

Therefore, Jane with the lower point total will be selected before Paul

The Provincial Track and Field Committee may look at the second place finishers. These 2<sup>nd</sup> place finishers will be ranked with the 1<sup>st</sup> place finishers using the same criteria.

Note: Updated 5 year comparison lists will be prepared and be available at the Indoor Meet.

Team Staff will review the results of the meet and the athletes other performances when entering them into events at the *National* meet. Athletes may be entered into events other than those which they won at the Provincial meet.

## **Ontario Team Staff Manual**

The Ontario Team staff manual was developed by the Provincial Track & Field Committee in an effort to clarify the roles and responsibilities of the Ontario Legion Staff team accompanying the Ontario athletes to the *Legion National Youth Track & Field Championships*. The team includes the following members: Head of the delegation, Chaperones, and Coaches. The manual is provided to all of the selected team members once their appointment is confirmed.

# **TRAINING AND ORGANIZATIONAL DEVELOPMENT**

## **The Terms of Reference for this Committee are as follows:**

### **Structure**

The Ontario Command Training and Organization Development Committee shall consist of:

- A Chairman as appointed by the Provincial President.
- A representative from each District.
- An Ontario Command Vice President as appointed by the Provincial President.
- A Committee Secretary
- Any guests and specific presentation at the invitation of the Committee Chairman.

### **Responsibilities**

Individual Districts, Zones and Branches shall appoint a TOD Chairman or committee in accordance with sections 707, 807 and 913 of the Ontario Command By-Laws.

1. The Provincial, District, Zone and Branch Training and Organizational Development (TOD) Committees will advise Ontario Command, District, Zone and Branch Senior Elected Officers (SEO's) of action plans for training and development of a Provincial curriculum of required training.
2. The Provincial, District, Zone and Branch TOD Committees shall research, develop or make available seminar material which can be presented in appropriate seminar situations.
3. The Provincial, District, Zone and Branch TOD Chairmen will research instructional mediums and make recommendations to their respective SEO's as to effectiveness, cost and ease of use.
4. The Provincial, District, Zone and Branch TOD Chairmen will interact, where appropriate, to best determine the training needs at the level of Legion they represent. Fundamental to the success of all levels of TOD initiatives is the networking between all levels of TOD Chairmen.
5. The Provincial, District, Zone and Branch TOD Chairmen will share information regarding the successes, failures, timeliness, validity and participation of all TOD training opportunities.
6. The Provincial TOD Chairman shall maintain the Train the Trainer program and ensure productive development of the program with effective presentation format and that all levels of Legion are aware of the importance of this program.
7. The Provincial TOD Chairman will ensure that all levels of TOD Chairmen understand, participate and help with effective development of the Branch Officers Leadership Seminar series.
8. The Provincial TOD Chairman will ensure that all Ontario programs, if requested and sanctioned by the Provincial President, are shared with other Commands and Dominion Command.

9. The Provincial TOD Chairman will provide required training and subject expertise for other levels of Legion TOD Chairmen with a view to ensure that a core of effective facilitators and trainers are available to Ontario Command at all levels of Legion.
10. The District TOD Chairmen, with the assistance of the Provincial TOD Chairman will ensure that Zone TOD Chairmen are aware of the training opportunities available and that these training opportunities are made aware to Branch TOD Chairmen.
11. The District TOD Chairmen will actively participate in the annual TOD meeting to ensure a successful training and development program for Ontario Command.
12. The Provincial, District, Zone and Branch TOD Chairmen will provide input to the biennial review of these terms of reference with a view to ensuring their timeliness and relevance.

This committee has undertaken a number of initiatives over the years and developed a number of seminars for use by all levels. The Ontario Command office has maintained copies on file and material may also be available through the District TOD Chairman. It is the intention of the committee to have all seminars available for downloading on the Command website.

The committee has embarked on a new training strategy. We are dealing with leadership skills in the hope that current members of Legion will realize that becoming a leader in their respective branches is not an onerous task. Rather, it can be an exciting experience which will enrich their branch and themselves. Fundamental to this seminar form is the belief that leadership is a learned skill and can be taught to all Legion members. At this time Phases 1, 2 and 3 are complete. Other phases in this program will help to develop Legion leaders and in fact will also help to develop leaders in other levels of Legion. To compliment this initiative the TOD committee urge all Provincial chairman to develop seminars in the component format so all aspects of Legion can be addressed.

Current seminars have been developed in the “component format” which allows the TOD Chairman at all levels to conduct portions of the various phases at Branch, Zone, and District seminars without using a lot of time.

Branches are reminded that the TOD Chairman at branch level can be a valuable asset to the branch in providing training to new members and keeping all members up to date on all training aspects.

## **VETERANS SERVICES/SENIORS COMMITTEE**

The 2003 provincial convention approved the amalgamation of the Veterans Services and Legion Seniors committees at the command and district levels, with the addition to the committee of a Vice-Chairman responsible for seniors' issues. The Provincial Veterans Services/Seniors (VS/S) Committee includes the following: Chairman of the VS/S Committee, Vice-Chairman with responsibility for seniors' issues, District VS/S Chairmen, First Vice-President of Ontario Command. Shortly after the amalgamation of the two committees, the following working terms of reference were established and approved for the provincial committee:

### **Working Terms of Reference for the Provincial Veterans Services/Seniors Committee**

#### **Veterans Services:**

- Shall examine the policies and programs of the Canadian Forces, the RCMP and the Department of Veterans Affairs and its associated agencies, the Veterans Review and Appeal Board to safe guard the interests of Veterans, still serving and recently released members of the Canadian Forces and the RCMP.
- Shall continue to monitor:
  - (a) the delivery of services and benefits to Veterans Affairs Canada pensioners and their dependants through Veterans Affairs Regional, District Offices and Legion Service Officers; and
  - (b) the reorganization of and transfer of Veterans Affairs responsibilities, so as to protect the vital interests of the Veterans and dependants whom the Department serves.
- Shall recommend priorities to Provincial Executive Council so as to attain official objectives for the improvement of Veterans' Legislation as it pertains to the Province of Ontario.
- Shall work in pressing for additional improvements to domiciliary and chronic care accommodation and home and community care services for older Veterans, especially the expansion of nursing home care for the Province of Ontario.
- Shall monitor the availability and disposition of all Veterans Affairs contract beds in the Province of Ontario and ensure equitable access for entitled veterans.
- Shall monitor the well-being of Veterans in community and contract long-term care facilities in the Province of Ontario to ensure a high standard of care.
- Shall ensure that long term care requirements of Veterans and/or dependants are met, with respect to sheltered housing, domiciliary care and other housing requirements.
- Shall study and follow-up on any other concern affecting the welfare of all members of the Forces of Canada, the RCMP and their dependants in the Province of Ontario.

## **Seniors:**

- Shall maintain up-to-date communications with districts through the Provincial website.
- Shall promote and carry out programs to which Legion Members can relate, that will enhance the quality of life and provide social and service amenities to our aging Veterans and citizens.
- Shall foster branch and community interests in seniors.
- Shall encourage branches, either independently or in cooperation with other voluntary organizations, to adopt and assist, if possible, programs to provide basic services that will enhance the quality of life for seniors within the community.
- Shall promote the development of resources that will enhance the quality of life for all seniors and the promotion of educational programs describing the opportunities for service to seniors.
- Shall promote community projects and government programs directly related to housing, with priority access for Veterans and seniors.
- Shall maintain currency in seniors' issues through liaison with local, Provincial and Federal Governments and other national or international organizations involved in the promotion of care and other useful programs for seniors.
- Shall liaise with other organizations interested in seniors' issues to exchange information, promote Legion Seniors viewpoint, to explore potential areas of mutual support and to form partnerships.
- Shall monitor and examine Federal, Provincial and Municipal policies and programs impacting upon seniors and follow up on concerns affecting the well-being of all aging citizens.
- Shall advise Provincial Executive Council of Seniors' policy issues which should be the subject of Legion advocacy or representation to the government.
- Shall apply relevant veterans' program experience to selected senior's issues such as housing, health care, income security.

## **Veterans Services Program – Branch And Zone Levels**

Although the Veterans Services Committee and the Seniors Committee were amalgamated at the provincial and district level, the chairs remain separate and distinct at the branch and zone level to ensure that those working closest to veterans and seniors have adequate resources to do justice to these important responsibilities to our Veterans and seniors in the community.

The following terms of reference have been developed for the branch and zone levels for the two programs:

### **Terms of Reference for Veterans Services Chairmen**

#### **Branch**

The Veterans Services Chairman shall be a member of the branch executive committee.

#### **Responsibilities:**

1. The Branch Veterans Services Committee shall make itself familiar with all aspects of veterans' legislation. It shall ensure that all veterans in the area are receiving the benefits to which they are entitled, particularly those that are housed in seniors' residences, homes or hospital and who may not be aware of their entitlements.
2. This committee will work closely with the Service Officer, the Hospital Visit Chairman and the Legion Seniors Chairman at branch level.
3. It shall attempt to maintain a record of the whereabouts of all Veterans within the area, including homes, residences and hospitals.
4. It shall consider making recommendations for improvements in veterans' legislation and shall monitor the use of all priority access beds in veterans' facilities in the area.
5. The Chairman will be the Branch representative on the Zone Veterans Services Committee and shall provide reports to that committee when requested to this committee and to each executive and general meeting of the branch. A copy of the Branch Chairman's reports to Zone will also be forwarded to the District Veterans Service/Seniors Committee Chairman.

#### **Zone**

The Zone Veterans Service Committee shall consist of the Zone Veterans Services Chairman and all Branch Veterans Services Committee Chairmen within the zone. The Zone Veterans Services Chairman is appointed by the Zone Commander.

#### **Responsibilities:**

1. The Zone Veterans Services committee will ensure that all veterans (not just Legion members) and their dependants shall receive all benefits to which they are entitled by current legislation.
2. Special attention is to be paid to those that are residents of Veterans' hospitals, those who occupy priority access beds in community long term care facilities and those who are in nursing homes and other seniors' facilities.
3. The committee shall seek out those who are living in sub-standard housing or accommodations that are too expensive for their income. This information is to be passed to the Veterans Services Chairman, Ontario Command and/or Veterans Affairs Canada for action, where appropriate.
4. The committee shall at all times monitor the activities of VAC and the care provided to long term care and chronic care residents in any facilities/residences where veterans reside.

5. Contact will be maintained with VAC, District officials, the Provincial Service Officer and the Veterans Services/Seniors Chairman, Ontario Command in order that problem areas may be identified and resolved.
6. Close contact must be maintained with the District and Zone Veterans Services Chairmen, the Zone Service Bureau and the Zone Hospital Visiting Committee so that local issues receive immediate attention.
7. The Zone Chairman's reports to the Zone Council and Zone Conventions shall also be forwarded to the District Veterans Services/Seniors Chairman.

### **Seniors Program – Branch And Zone Levels**

#### **Terms of Reference for Legion Seniors Program Chairmen**

##### **Branch**

The Branch Seniors Committee shall have a chairman and a minimum of two additional members. The Chairman shall be appointed by the Branch President and/or the Branch Executive Committee and confirmed by the General Membership. The Chairman will normally appoint committee members. The Chairman shall be a member of the branch executive committee.

##### **Responsibilities:**

1. The Branch Seniors Chairman will be the Branch representative on the Zone Seniors Program Committee. He will report on Branch Seniors activities to each Branch General Meeting and to the Zone Chairman when requested to do so.
2. The Chairman shall be aware of the services provided by the other "chairs" in his branch such as Poppy, Service Bureau, etc., and be prepared to make appropriate referrals to these "chairs".
3. The Chairman should be aware of all the community services available to seniors in his community and know how to get in contact with these services.
4. The Committee shall be responsible to develop and maintain a program to aid, assist and/or support any activity which will benefit seniors in the community. Services provided should be determined through an assessment of the needs for seniors' services in the community and the availability of resources to provide needed services.
5. The Committee will develop a list of opportunities for seniors in the community, whether the activities are branch-sponsored or otherwise. It is the responsibility of the committee to understand that its mandate is to sponsor activities where the need exists and to the extent that funds and manpower are available, rather than to compete with or duplicate services already in place in the community. The committee should strive to assist and advise other seniors organizations to fulfill the needs in the community.
6. Proposed programs and budgets shall be presented to and approved by the Branch Executive Committee and in turn, by a general meeting of the branch. Funding can come from any approved source, such as General Funds, Lottery funds (with approval from the licensing authority), etc. All activities in excess of the approved budget must receive similar approval before any commitment is made.

7. The committee will note that whereas Legion Seniors Clubs benefit seniors who are Legion members, it is the intent of the Legion Seniors Program to be to the benefit of **all seniors**, including those who happen to qualify for Legion membership.

### **Zone**

The Zone Seniors Chairman shall be a member of the Zone Council. The Zone Seniors Committee shall consist of the Zone Legion Seniors Chairman and all Branch Seniors Chairman. The Zone Seniors Chairman is appointed by the Zone Commander.

### **Responsibilities:**

1. The Zone Legion Seniors Chairman should be familiar with information and programs that serve to enhance the lives of seniors in your community.
2. The Chairman should hold meetings annually with Branch Seniors Chairmen to discuss their duties and responsibilities and to explain the aims and objectives of the Legion Seniors Program.
3. The Chairman assists Branch Chairmen to institute and operate programs in the branches and community, clarifying the Legion Seniors role.
4. The Chairman attends various functions as requested by the branches within the zone. The Chairman should continue to impress upon the Branch Seniors Chairman the importance of ensuring there is a viable seniors program in operation in their respective branches, stressing that our seniors program is not designed to compete or interfere but to enhance and assist any programs for seniors that are currently operating in their communities.
5. The Zone Seniors Chairman should establish personal contact with the Branch Seniors' Chairmen and express a willingness to assist them in their efforts. The Chairman should follow-up on any branch requests and work closely with the Zone Commander.
6. The Chairman shall attend and submit a report to zone meetings of activities in the Zone and be prepared to give a brief presentation on the seniors program in general.
7. The Chairman should report regularly to the District VS/S Chairman the progress of programs being conducted through the zone and contact the District Chairman if a problem should arise that cannot be handled by local action.

## YOUTH EDUCATION

The job description for the Branch Youth Education Chairman, as developed by the Provincial Youth Education Committee, is noted below:

### Job Description Branch Youth Education Chairman

Congratulations on being appointed to the position of Youth Education Chairman. This is a very exciting position to hold, as you will meet many interesting people and will find that working with youth is very rewarding in its own right.

A complaint that is often heard when someone is asked to chair the Youth Education program is that they do not know how to organize contests, or when to do certain things or where to find certain items which will help them run the program smoothly. The following is a guide to assist chairmen to do their duties.

### June

Read the latest Legion Officers Manual produced by Provincial Command. If you do not have a copy, use the copy from your branch and request that one be purchased for you as soon as possible for your future reference. This book is filled with valuable information, not only on Youth Education but other offices that can be of assistance to you such as Public Relations, etc.

After reading through the various sections on youth education, you should begin by preparing a budget for the upcoming Poster, Poem and Essay contest and present it to the membership at a branch for approval. Once approved, you will be able to order supplies, (certificates, frames, etc.) in time for the contests. Only expenses for prize money and certificates for poster and literary competitions can come out of the Poppy Fund and any other expenses must come from the Nevada or General funds. **(Note: Any expenses from Nevada Account must have the written approval of the licensing authority).**

Ask the previous youth education chairman for all information that he may have in regards to judges or contact persons, i.e., written material he has on file and review this material over. If you are beginning your first term and do not have the benefit or the assistance of a previous Youth Education Chairman, then contact the Zone Youth Education Chairman. He will be able to provide you with their knowledge and assist in establishing your program.

Be sure to ask and appoint other members to assist in your branch program. They do not need to be a part of the full committee, as their part in the program may be limited to a specific time and role, i.e.: the Branch Sergeant-At-Arms.

If there is more than one Legion branch in your area, contact your Branch Poppy Chairman to find out your boundaries. Make a list of all schools within your jurisdiction. The past Youth Education Chairman will also be able to tell you which schools to contact.

## **July**

Check with your Branch Secretary to see if your Youth Education kit has arrived. Provincial Command will send this to the Secretary of the Branch during the month of July. It will have a stamp on it saying “Youth Education Chairman”. If you have not received your kit by the end of July, please contact Ontario Command.

In August or September, the branch also receives from the Department of Veterans Affairs a kit containing additional resource material for your use.

## **August**

Contact the Public Relations Officer at your branch to use all his resources to advertise the Poster/Literary competition. Contact your local cable company, radio station and newspapers, as well as local library to post notices about this competition. This will inform students who are home schooled that they are welcome to participate in our programs. Contact youth organizations such as Scouts, Guides, Cadets etc., and let them know that they are eligible to participate.

Check your inventory for certificates you will need for Poster, Literary and Public Speaking contests and order them from Provincial Command. Order these through your Branch Secretary, this will ensure that the branch knows that it will be receiving a bill to pay for them. Decide how you are going to fill out the certificates, i.e., calligraphy, etc. If using calligraphy, find a person who can do it for you.

Write to the local Boards of Education asking for permission to promote the Youth Education competitions in the schools.

Participate in your District or Zone seminar/workshop. This will provide information to the novice chairman and update experienced chairmen to recent additions and changes.

## **September**

School is open and this is the time to contact the principals and teachers of your schools. Give them a copy of the letter you sent to the Board of Education to let them know what has gone into their schools. Figure out how many youth education kits will be required for each school. Include a list of educational materials available through the Legion or Veterans Affairs such as books, videotapes and audiotapes, etc. Inform them that a guest speaker, bugler, colour party, wreath, etc., are available if requested. Invite students and staff in writing, to attend the Remembrance services on November 11<sup>th</sup> and the previous Sunday if your Branch has a parade. Inform all schools that the statistics form in their kit should be filled out. This information is important for the promotion of the program and to see the impact the Legion is having with the youth of Ontario.

Note: Make sure the schools are using the current Command approved entry forms and have copies on hand to give them in case they are using an outdated form. Please refer to the Ontario website at [www.on.legion.ca](http://www.on.legion.ca) for current forms.

Additional complete kits are not available from Command. Branches may order the colour inserts and brochures which are included, from Ontario Command. The branches are asked to make copies of the entry forms and printed circulars which are found in the kit.

## October

Set up a room for the judging of the Poster and the Literary contests. Have score sheets, pencils, notepaper and any other items needed ready and on hand.

Arrange for judges for the Poster/Literary contests. Consider the guidelines for choosing judges under the “Judges” portion of this section.

With the Poppy Chairman, prepare a list of speakers available to go to the schools.

## November

Collect all entries and hold the judging. **INSTRUCT THE JUDGES NOT TO MARK ON THE ENTRIES AND TO USE NOTEPAPER, IF NECESSARY.**

Code the back of each entry and the back of each entry form, to identify the work and to make sure that the work is returned to its owners when it has reached the end of its judging.

**Example of a code: 1/D.3/PI/C-1**

**Explanation of the code: Branch # is “1”/ District & Zone # is “D.3”/ “PI” is Poster Contest Black and White/ C-1 is Category 1 for Primary**

### **Levels:**

**PI (Poster Black & White)**  
**PII (Poster Colour)**  
**E (Essay)**  
**P (Poem)**

### **Categories:**

**Cat. 1, 2, 3 or 4**  
**Cat. 1, 2, 3 or 4**  
**Cat. 1, 2 or 3**  
**Cat. 1, 2 or 3**

The entry form including the above coding must be filled out and completed before sending on to the next level.

With the branch Public Relations Officer and Honours and Awards Chairman, arrange the presentation of awards to the students either at their schools, a special event, or at the general meeting of the branch or zone. Arrange for the local newspaper to be present. Have the Branch President do the presentation. Prepare a list of winners to be sent to schools that participated and for publication in the branch bulletin as well as the local media. **Forward the first place winners only on to your Zone Youth Education Chairman.** Send statistics report, including the number of entries from all the schools that participated, to your Zone Chairman.

## **December**

Present awards to the Zone level winners, either at their schools or branch or zone meeting.

Arrange the time and location for the branch public speaking competition. Check on the date for the zone level competition before setting your date.

## **January**

Distribute the materials on the public speaking competition to the schools. Include information on the rules and regulations and the prize structure.

Arrange for judges at the public speaking competition. Anticipate that you will have French and English speakers and arrange for judges to be bilingual.

Check your inventory and order prizes, certificates, etc. Present your budget to the branch executive and make a motion for approval at your General membership meeting. **Funds for the Public Speaking Contest can be taken from Nevada (provided the licensing authority approves this on your branch license) or your General funds to run this program.**

Arrange for the Branch President or designate to open and close the meeting. Invite the Colour Party to add pomp and ceremony. Arrange for a registrar, 2 timekeepers and 2 scrutineers. Ask the Ladies' Auxiliary to prepare a light lunch. Follow up these arrangements a week before the competition.

**Read The Instructions In The Officers Manual For The Public Speaking Contest.**

## **February**

Obtain the list of winners from District level of the Poster and Literary competitions from the Zone Chairman and make arrangements for presentations with the Zone Chairman present. Ask your Public Relations Officer to help publish the results of the competition and to arrange for the local media to be at the presentation.

Hold the Branch Public Speaking competition in January or February, at least two weeks before the Zone competition.

Prior to the Public Speaking competition, explain to the scrutineers and judges the rank order scoring process and various forms to be used. You may ask the judges to use a .5 (point 5) if at all possible when scoring. This, along with rank order scoring, will ensure that you do not end up with a tie to be broken by impromptu speeches. Have several choices for topics that the students can speak on, in the event that a tie occurs.

At the competition, have all information in writing for the zone level of competition to give to the students who will represent your branch.

Forward the list of branch winners immediately to the zone level, retaining information on the second place winner in case the first place cannot attend.

### **March**

Attend the zone competition with your students and support them along the way as much as you can. Be there also to assist the Zone Chairman who may need you to be the scrutineer, timekeeper or registrar, etc.

Attend the District Public Speaking competition for the same reason, if you can.

Your branch may reimburse you or the student, for out-of-pocket expenses to attend the Zone and District Competitions. Before you attend, check first to see if the branch will offer reimbursement of expenses.

### **April**

If possible, attend the Area level of competition with your students from your Branch who won at District level.

Awards for the District Poster and Literary competition may be presented to the Zone Youth Education Chairman at the Spring District Convention. Arrange for presentation of these awards with the students as soon as possible following the District Convention.

### **May**

If possible, attend the Provincial Public Speaking competition to support your student.

If you will not be continuing in the Branch Youth Education Chair for the following year, gather together any files or information which may be useful and pass them on to your successor.

**Now Relax - Pull Up A Chair - Have A Cup Of Coffee.  
You Have Earned It!!!**

## LITERARY COMPOSITION & POSTER CONTESTS

The main principle of the contest is to encourage students to remember, think and participate, prior to and during the annual Remembrance Day observances.

The contests are divided into the following categories – primary, junior, intermediate and senior. The entry may be in the form of an essay, poem or poster. Participants in the primary category may submit entries in the poster contests only.

The subject matter shall be in accordance with the particulars noted on the pamphlets and posters that are available on request from the Command Office.

Students who have been out of the educational system for more than two consecutive years are ineligible to compete in the Poster and Literary Contests at any level.

### Literary (Essay and Poem) Contests

#### Rules and Regulations

Candidates will submit an essay/or poem based on the subject of Remembrance. Entries may be printed, written, typed, computer generated, etc.

1. Entries may be submitted in English or French.
2. Candidates will use only one side of an 8 ½” x 11” (22cm x 28cm) page.
3. Entries will be marked on the basis of originality of thought, expression, presentation, grammar, spelling and Canadian content.
4. a. Each candidate should state clearly on a separate command approved registration form his or her name, address, age, grade, name and address of school, and local Legion branch so that it remains on the entry.  
  
b. Chairmen are encouraged to code all entries in pencil on the back of the entry and the registration form the following information: Branch#, District & Zone, Contest (Essay or Poem): Category 1/2/3. For example: 1/D.3/E/C-1 or 1/D.3/P/C-1. (See explanation in “November” in the Job Description portion of this manual).
5. Poems cannot have more than 32 lines (excluding title) and Essays cannot have more than the word count stipulated for each age group (excluding title). It is the chairman’s responsibility to ensure that entries meet these guidelines before submitting them to the next level.

<b>Category 1:</b>	<u>Essay (words)</u>	<u>Poem (lines)</u>
Junior Level (Grades 4, 5 & 6)	350	32
<b>Category 2:</b>	<u>Essay (words)</u>	<u>Poem (lines)</u>
Intermediate Level (Grades 7, 8 & 9)	500	32
<b>Category 3:</b>		
Senior Level (Grades 10, 11, & 12)	800	32

- Students may enter both the Essay and the Poem contests, but may only submit one entry for each category.
- All entries are to be submitted to the local branch of The Royal Canadian Legion.
- Students who have been out of the educational system for more than two consecutive years are ineligible to compete in the literary contests at any level.

### **Poster Contest**

**Contest I - Black & White**  
**Contest II - Colour**

#### **Rules & Regulations:**

Posters will be based on the subject of Remembrance. Contestants are challenged to exercise their initiative and create a poster on this theme.

- Entries will be no larger than 22" x 28" (56cm x 71cm).
- Contest I - Entries will be accepted in Black & White on black or white paper only: pencil, charcoal and/or India ink.
- Contest II - Entries will only be accepted in colour. Photographs and three-dimensional submissions made of tinsel, cotton or wooden sticks, for example, will not be accepted.
- When national symbols are used, Canadian symbols must be preeminent.
- Entries will be judged on originality, expression of designated subject, drawing and illustration.
- Signatures are no longer required. However, students will attach an official registration form showing their name, address, age, grade, name and address of school and local Legion Branch.
- All entries are to be submitted to their local Branch of The Royal Canadian Legion.

8. Posters will be judged at Branch: winners to Zone, to District and to Provincial level. Only First Place winners should be forwarded to each level. Entries should be submitted to the next level FLAT. Provincial winners are submitted to Ottawa for judging at national level.
9. Students may enter both Black & White and Colour contests, but may submit only one entry for each category.
10. Chairmen are encouraged to code all posters in pencil on the back of the entry and registration form the following information: Branch#, District & Zone, Poster Contest I or Poster Contest II, Category 1,2,3,4. For example: 1/D.3/PII/C-1 (See explanation in “November” in the Job Description portion of this manual).
11. Students who have been out of the educational system for more than two consecutive years are ineligible to compete in the poster contests at any level.

### **Entries from home-schooled students or students in Alternate Programs**

Home-schooled students are eligible to enter the Poster and Literary Contests. Entries from students who are home-schooled or in alternate programs should be accepted based on the grade level of the student at the time the entry is submitted, rather than age. The word of the parent or educational facility should be accepted in determining the grade level of the student.

### **Website Posting of Entries**

**The publishing of winning poster and literary entries for the website are the sole responsibilities of the Youth Education Chairman at the Branch, Zone, District and Provincial levels. Please note that only first name and initial of last name should be provided to protect the privacy of the student. The name of the school, branch # and district may also be provided to properly identify the entry. Where possible, permission from the parent should be sought.**

### **Deadline Dates:**

Schools interested in the program and willing to participate in the contest, should be asked to select the best poem and essay in each classification and forward it to the local Branch which will determine the overall winners within their jurisdiction.

The winning entries shall be submitted as follows:

Branch entries to Zone Chairman by November 30<sup>th</sup>  
Zone entries to District Chairman by December 30<sup>th</sup>  
District entries to the Provincial Chairman by January 30<sup>th</sup>  
Provincial Chairman to Dominion Command by February 15<sup>th</sup>

Contest registration form must be completed in full and attached to the entry (do not staple) so that they will not be separated from each other during shipping. All entries will be returned to the student, with the exception of the winning entries at Dominion level.

Entries received after the deadline date or not within the guidelines will be returned to the District Chairmen in question with no consideration being given to same.

### **Judges**

It is suggested that the judges be selected from the local school system and if possible, should be from a school that has not participated in the contest. If all schools participate, each school should be asked to provide a selection committee member. This would eliminate any suggestion of favouritism. Community, military or Legions members with appropriate skills and background may also be considered. It is recommended that judges chosen to score Poems and Essays be from the educational system, as part of the scoring will require knowledge in the fields of spelling and the proper use of grammar.

### **Prizes**

It is imperative that schools and school boards, etc., be advised of the awards which are to be made available to the students at the Branch, Zone, District, Provincial and Dominion Command level in order to encourage their participation.

Awards to be in line with the level of competition.

### **Provincial Awards (Literary & Poster):**

<b>Category 1:</b>	<b>Primary level (posters only)</b>		<b>Grades 1, 2 &amp; 3</b>
1 <sup>st</sup> Prize			\$100.00 & Gold Medal
2 <sup>nd</sup> Prize			\$ 75.00 & Silver Medal
3 <sup>rd</sup> Prize			\$ 50.00 & Bronze Medal
<b>Category 2:</b>	<b>Junior level</b>	-	<b>Grades 4, 5 &amp; 6</b>
1st Prize			\$100.00 & Gold Medal
2nd Prize			\$ 75.00 & Silver Medal
3rd Prize			\$ 50.00 & Bronze Medal
<b>Category 3:</b>	<b>Intermediate level</b>	-	<b>Grades 7, 8 &amp; 9</b>
1st Prize			\$150.00 & Gold Medal
2nd Prize			\$100.00 & Silver Medal
3rd Prize			\$ 75.00 & Bronze Medal
<b>Category 4:</b>	<b>Senior level</b>	-	<b>Grades 10, 11 &amp; 12</b>
1st Prize			\$300.00 & Gold Medal
2nd Prize			\$150.00 & Silver Medal
3rd Prize			\$100.00 & Bronze Medal

### **Dominion Command Awards:**

<b>Category 1:</b>	<b>Primary level (Posters only) -</b>	<b>Grades 1, 2 &amp; 3</b>
1st Prize		\$100.00
2nd Prize		\$ 75.00
<b>Category 2:</b>	<b>Junior level -</b>	<b>Grades 4, 5 and 6</b>
1st Prize		\$125.00
2nd Prize		\$100.00
<b>Category 3:</b>	<b>Intermediate level -</b>	<b>Grades 7, 8 and 9</b>
1st Prize		\$200.00
2nd Prize		\$125.00
<b>Category 4:</b>	<b>Senior level -</b>	<b>Grades 10, 11 &amp; 12</b>
1st Prize		\$500.00
2nd Prize		\$200.00

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Members of the Youth Education Committee may be paid out-of-pocket expenses in order to attend a special function when presenting awards to the winners emanating from Dominion Command. Awards at Branch level to Provincial winners are the responsibility of the Branch, Zone and/or District Commander.

Literary and Poster Awards are to be mailed to the District Chairman in question (area where student resides) for furtherance to the Zone/Branch Chairman for presentation.

Each of the Senior 1st Prizes in the Dominion Contest includes a trip for two to Ottawa.

The winners of the poem, essay and poster contests at the Dominion level each receive an individual plaque, a Branch plaque and a School plaque. The presentation of plaques at the senior level shall be made in Ottawa.

Any gift or Honourarium given to the judges for their assistance, will be at the expense of the level at which the competition is being held.

Circulars will be mailed to the Branches in July to the attention of the Youth Education Chairmen.

Literary Composition and Poster Contest Broadsides and Pamphlets are available on request from Command to the Branches for distribution to the schools, in English or French.

Contact should be made with the local school boards, school principals, Parent Advisory Councils and student councils if the program is to be a success.

The contest is conducted under the auspices of the Youth Education Committee.

## **PUBLIC SPEAKING CONTEST**

**Note: Students who have been out of the educational system for more than two years are ineligible to compete in the Provincial Public Speaking Competition at any level.**

**When choosing a location for your public speaking competition, consider a location which is handicap accessible.**

The following is a brief outline for Branches to assist in organizing and conducting a contest at Branch level.

The Public Speaking Program is divided into five components:

- Branch Youth Education Chairman and Committee.
- Communication with Public and Separate School Boards, Principals, Student Councils and Parent Advisory Committees.
- The Contest Day
- Awards
- General Contest Activities.

### **Branch Youth Education Chairman and Committee:**

The Chairman and Committee have the responsibility for the following:

The Chairman shall co-ordinate all activities leading up to the contest and allocate duties to his committee, as follows:

- Direct correspondence to School Boards, Principals, Parent Advisory Committees and Student Councils, informing them of the contest and the actual date.
- Appoint a Registration Chairman for the contest date.
- One person to arrange for suitable prizes and certificates.
- Arrange for the proper newspaper and radio coverage of the event.
- Where possible, the contest should be hosted in a location which is wheelchair accessible to ensure that all participants and family can attend. If the branch is not accessible some consideration should be given to holding the contest in the local community centre, etc.
- In co-operation with the Ladies' Auxiliary to the Branch, arrange a light lunch for parents, contestants and guests after the conclusion of the contest.
- Arrange for the judges and timekeepers and it is recommended that the judges be selected from the school system. Community or Legion members with appropriate skills and background may also be considered.

- Where there is a French-speaking contestant in any category, the whole category shall be judged by fluently bilingual judges in that classification.

### **Communication with Public and Separate School Boards and Principals:**

A letter, prepared at the commencement of the school term, advising of the contest details, should be sent to principals of all schools, with a copy to their respective school boards. (Send a second notice to all High Schools in January due to semester system.) A suggestion as to its content is, as follows:

Announcing the contest  
 Outlining the date and place of Public Speaking  
 Rules and Regulations  
 Awards and Prizes  
 Various levels of competition for the winners  
 Copy of Command Circular

### **Contest Dates:**

The dates for the contests at Branch, Zone, and District level should be established by the respective chairmen in September of each year, with careful selection being given to ensure that the contests at the various levels are not held on holiday weekends, school recess, etc. The deadline date for the area contests will be at least two weeks prior to the Provincial Contest, which is held on the 1<sup>st</sup> Saturday in May.

### **Chairman's Duties:**

After the registration of all categories, the Chairman commences as follows:

Formal opening shall be by the Branch President or his representative.

Welcome to all in attendance (usually by the President or the Vice-President of the Branch).

Chairman's personal welcome to all.

Start the contest with the Grades 1–3 first and each contestant is introduced as follows:

“And now, speaker No. 4”.

The reason for this is to keep each speaker anonymous in order to prevent any favouritism from schools, parents or judges.

A ten minute break is the usual practice halfway through the contest.

The contest will then continue until its completion.

## **The Contest Day:**

Due to the difficulty in obtaining the names of the various contestants prior to the contest, correspondence should be sent to all principals informing them of the time of registration and the contest hour and the number of contestants to be accepted at Branch level.

On the day itself, the Registration Chairman will arrange to register all students prior to the commencement of the contest.

The contestants are divided into four classes:

Primary	(Grades 1 – 3)
Junior	(Grades 4 – 6)
Intermediate	(Grades 7 – 9)
Senior	(Grades 10 – 12)

A contestant registration form is available in your kit, one should be provided for each age group. The registration form can also be obtained from the Ontario website at [www.on.legion.ca /youth programs/public speaking](http://www.on.legion.ca/youth/programs/public%20speaking).

Choice of order of speaking shall be by participants randomly picking numbers.

## **Speeches:**

Primary	(Grades 1 – 3)
Junior	(Grades 4 – 6)
Intermediate	(Grades 7 – 9)

Speeches shall not be less than three (3) minutes nor more than five (5) minutes.

A time penalty shall not be levied against the grades 1- 3 participants for a speech short of, or in excess of the time limit.

Senior	(Grades 10 – 12)
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Speeches shall not be less than five (5) minutes nor more than seven (7) minutes.

## **Rules and Regulations:**

1. The speakers may select their own topics. Participants in the Primary category (Grades 1 – 3) may select their own topic or story. Speeches are to be the original work of the speaker. The speaker will credit authors and sources of material, if referring to another person's work. Speeches that repeat verbatim another person's original work will not be accepted.  
**If a Primary Speaker (Grades 1 – 3) is retelling a published story or work, this speaker MUST provide a copy of the original work to the Chairman at the time of the competition.**

2. Visual aids, props, notes, cue cards, lecterns, etc., may be used to support the speech, notwithstanding the fact that judges may add or subtract marks according to the manner in which they are used.
3. Speakers will not be allowed to use 'Power Point' as a method of presentation or as a tool during presentation.
4. The assistance of persons other than the Chairman or his appointee is not permitted at any level of the contest.
5. English and French speakers will compete within the same contest at all levels. Bilingual judges must be used when necessary. Speakers must compete in English or French and must continue to speak in their chosen language throughout all levels of the competition.
6. The speaker must progress through all levels of the competition: Branch, Zone, District, Area and Provincial, using the same speech.
7. A penalty of 5% of the total marks received shall be imposed to a speech that is either short or in excess of the time limit for that level, before the total scores are compiled. This penalty will be imposed by the timekeeper and applied by the scrutineers. No penalty for time will be levied for Grades 1 – 3.
8. A penalty of 5% of the total marks received shall be imposed to any contestant who freezes. A contestant who freezes may continue but all speaking time used will count. This penalty will be imposed by the timekeeper and applied by the scrutineers.
9. **No person, including press photographers, shall photograph or videotape a speaker during the contest.**
10. A microphone may only be used by a "Special Needs" student. This student will require a certificate from a medical practitioner. The Chairman should be informed of the need before the competition begins.
11. The provincial public speaking contest will be held on the first Saturday in May of any given year.
12. Speakers cannot identify themselves, except by first name, during the contest.
13. Contestants who are late for registration without "**just cause**" will be disqualified from the contest.
14. All wall clocks will be covered during the contest.
15. All cell phones, pagers and other electronic devices are to be turned off during the competition. Such devices cannot be used for any reason during the contest.

16. If you need to leave the room, please do so between speeches or at the break. Do not enter or leave the room during a speech. If you must leave the room, please do so as quietly as possible.
17. Coaching or assistance of any kind from the audience will not be permitted.
18. Any violation of the above rules and regulations will result in a penalty being imposed by Ontario Command and may include disqualification from this or any future competitions.
19. Judges will render a final decision on all speakers without consultation with other judges or any other person and **their decision is final**.

### **Timekeepers:**

Two timekeepers shall be appointed by the Chairman and provided with stop watches to time the speeches. Timing shall commence as soon as the contestant speaks and will include the introduction and salutations.

The timekeepers will fill out the timekeeper's form which will be collected by the runner and taken to the scrutineers at the conclusion of each classification. The timekeepers will advise the scrutineers as to whether or not the students kept within the specified time limit of their classification. A signal is not to be given to the contestants when the approved time is reached.

### **Judging:**

There will be three to four judges at each level of competition. These judges shall be fluent in both French and English, if required. Judges will be permitted to participate at one level of competition only each year.

Judges may rotate with only three (3) judges judging the speaker in each category. In this manner, everyone judges three categories and sits out one category.

Judges will render a final decision on all speakers without consultation with other judges or any other person and **their decision is final**. They may not discuss marks with anyone upon the completion of the contest.

Judges will break their own ties.

After the judges have totaled their scores for each speaker in a division, they will sign the score sheets and give them to the runner who will take them to the scrutineers.

The Youth Education Chairman must brief or explain the scoring and ranking systems to the scrutineers.

The scrutineers will verify each judge's tabulations, enter them on the score sheet and make any adjustments in case of time penalties or freezing.

The scrutineers will **rank score** each judge's results, total the rank column and the lowest rank will be declared the winner.

If two or more contestants have the same rank, the scrutineers will total the "score" column and the high score would win.

If there is still a tie, then a "Speak-Off" would be necessary. If a tie still exists, the highest ordinal number will be dropped from the ranking and the rank column will be re-totaled. The lowest rank will win.

### **Impromptu Speech:**

In the event of a tie in ranking and score, the speakers shall be required to make an impromptu speech and one winner shall be declared.

The Chairman of the contest will select five (5) topics and have them available should there be a tie. These topics should be age appropriate and on current subjects.

The tied competitors will have the opportunity to draw one of the topics, they shall not be allotted nor shall the contestants be allowed to use their own topic material.

A period of ten (10) minutes will be allowed for each speaker to study the subject matter and compile a speech.

Impromptu speeches shall be of three (3) to five (5) minutes duration, without a time penalty.

### **Awards:**

Each Branch shall provide its own prizes.

Certificates may be obtained from Provincial Command.

Prizes or Awards shall NOT be taken from Poppy Funds at any level of the public speaking competition.

### **Zone & District:**

When the Zone/District Chairmen have received the names of all winners from the previous level, it will be their responsibility to:

Determine a winner in each classification at Zone/District level.

Zones and Districts will be responsible for all costs associated with their respective competitions.

**Area:**

For the purpose of determining Provincial entries, the Province will be divided into four areas and rotated on an area basis, as follows:

- Districts “A” & “B”
- Districts “C” “D” & “E”
- Districts “F” & “G”
- Districts “H” & “K”

The Host District Chairman to the Area Public Speaking Final shall notify the competing District(s) of the date, time and place of the area finals, not later than February 1<sup>st</sup> of each year in order to determine a winner in each classification at the area level. The Host Chairman should include the competing District Chairman/Chairmen in the planning and hosting of an area event.

Ontario Command will provide a budget for the purchase of plaques and prizes for the winners and runners-up in the Area Contests. Expenses in excess of the budget supplied, will be borne by the host district.

Information (outlining the details of the Provincial Public Speaking finals) should be distributed by the Area Host Chairman to the winners of the Area Contests. This information, provided by the command office, will include an expense claim sheet for completion by the student and his parent for return to the Ontario Command as soon as possible. Parents of students should be reminded that all rooms are booked through the command office; hotels should not be contacted directly. Command should be informed immediately if a student or parent has special needs or requires additions or changes to their accommodations.

Immediately upon conclusion of the area contest, the Area Host Chairman shall advise the command office of the winners in each classification and whether or not they intend to compete in the Provincial Finals. Indicate if a French speaking contestant(s) will be advancing from the area competition, this will assist in determining if bilingual judges are required at Provincial competition.

**Provincial:**

The Provincial Finals of the Public Speaking Contest will be held on the first Saturday in May of each year and the area contests are to be completed at least two (2) weeks prior to the Provincial Finals.

The winning student and one parent in each Division from the four Areas will be offered an all-expense paid trip to the site of the Provincial Finals.

Ontario Command shall provide for suitable gifts through the office of the Provincial Chairman (or the District Host) for presentation to the judges at the Provincial level.

The selection of judges for the Provincial Public Speaking Finals shall be taken from the school system (Convention Mandate). This is the responsibility of the host chairman.

**Prize Structure, Provincial Level**

	<b><u>Grade</u></b>	<b><u>First Prize</u></b>	<b><u>Runner-up Awards</u></b>
<b>Primary</b>	Grades 1 - 3	\$100.00 and a Gold Medal	\$50.00 and a Silver Medal
<b>Junior</b>	Grades 4 - 6	\$175.00 and a Gold Medal	\$75.00 and a Silver Medal
<b>Intermediate</b>	Grades 7 - 9	\$500.00 and a Gold Medal	\$100.00 and a Silver Medal
<b>Senior</b>	Grades 10 - 12	\$1,000.00 and a Gold Medal	\$200.00 and a Silver Medal

**Requirements for the Provincial Public Speaking Finals**

**District Chairman (hosting the contest)**

The hotel rooms should be booked as soon as the host Legion is determined and no later than August 1<sup>st</sup>. **(This information should be available for the meeting of the Provincial Youth Education Committee in August).** A total of 30 rooms should be booked as follows:

- 16 double rooms for contestants and parents
- 9 rooms for the District Youth Education Chairmen
- 1 room for the Provincial Youth Education Chairman
- 1 room for the Secretary of the Youth Education Committee
- 1 room for the Vice President of the Youth Education Committee
- 1 room for the Provincial President

Additional rooms may also be required above the 30 rooms listed above. The Host Chairman should also determine if the District or Zone Commander requires a room and determine preferences for rooms among the Legion members and try to accommodate any requests.

The Host Branch should be invited to serve a meal on the Friday night, if interested, and the branch would set the cost. Once this information has been confirmed, the Host Chairman will notify the members of the committee and the District and Zone Commanders (if attending), with the details on the dinner and confirm the number that will be attending. The branch may wish to include the Branch President or members of the executive of the branch at the dinner but the costs relating to the attendance of the branch members would be an expense of the branch.

The Host Chairman should, in co-operation with the Branch Youth Education Chairman, arrange for four judges (bilingual if required), to be available at least one hour prior to the competition so that the rules and judging requirements can be explained to them.

The requirements for the Provincial Public Speaking Contest are as follows:

1. A table and two chairs for the contest chairman and the runner.
2. Three tables and three chairs placed at regular intervals for the judges and one chair for the 4<sup>th</sup> judge.
3. A table and two chairs for use by the two timekeepers.
4. A separate room with one table and three chairs for the three scrutineers and a table and two chairs for the Secretary and Secretary Assistant.
5. An adequate Public Address System for use by Chairman and guest speakers.
6. A lectern to be made available for use by the contestants.
7. Suggested seating arrangements for the audience should be theatre style.
8. A Colour Party shall be in attendance (with colours and stands) for the Opening and Closing of the contest.
9. A Sergeant-at-Arms should be available at the entrance to the auditorium throughout the contest in order that noise control is held to a minimum and to prevent persons from entering the hall while an individual speech is in progress. If there is more than one door to the room, the assistance of the colour party to man these doors would be appreciated.
10. A complimentary light lunch should be made available (coffee, soft drinks, sandwiches, etc.) by the host branch for the contestants and guests in the auditorium at the completion of the contest, and before the awards presentation.

### **Provincial Chairman**

The Provincial Chairman will supply all necessary equipment for the running of the competition i.e., forms, stopwatches (available from the Command office), judges' gifts, rules, certificates and new subjects in the event of a tie.

**District Chairmen (not hosting the event)**

The District Chairmen that host the Area contests should ensure that Command office receives the names of the students representing their Area at the Provincial Public Speaking Contest, with a copy to the Provincial Chairman.

On the day of the contest, the District Chairmen will provide assistance to the Provincial Chairman in the following areas: scrutineers, timekeepers, registration, runners, and secretary assistant.

**Location Of Future Provincial Contests**

- 2012 - District "B"
- 2013 - District "D"
- 2014 - District "G"
- 2015 - District "H"
- 2016 - District "A"
- 2017 - District "C"
- 2018 - District "F"
- 2019 - District "K"
- 2020 - District "E"
- 2021 - District "B"
- 2022 - District "D"
- 2023 - District "G"
- 2024 - District "H"
- 2025 - District "A"

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Youth Education Committee materials shall be made available to the Branch Chairmen and to the District Chairmen for distribution to Zone Chairmen as noted hereunder, not later than mid-July of each year.

- Public Speaking Rules and Regulations
- Forms for above
- Literary & Poster Rules and Regulations
- Forms for above
- Speaker's Guide & Fact Book
- Poppy Promotional Catalogue
- Guidelines for Judging (Score Sheets, for internal use only)
- Awards Booklet
- Bookmarks

## PILGRIMAGE OF REMEMBRANCE - ONTARIO COMMAND POLICY

1. The deadline for receiving applications at the command office from the District Commanders is based on the final date stipulated by Dominion Command.
2. Ontario Command will send out the 'call' from Dominion Command with a covering memorandum to the District Commanders and members of the Youth Education Committee, noting the deadline date. The "call" from Dominion will include an application form, criteria for selection of the candidate and other pertinent information.
3. The District Youth Education Chairmen will solicit nominations for consideration by the District. Any mailings should clearly specify that nominations must be returned to the District Youth Education Chairman (rather than the command office).
4. Any applications directed to the command office in error will be forwarded to the appropriate District Youth Education Chairman.
5. The District Youth Education Chairman will forward the applications to the District Commander with recommendations pertaining to the selection of the District candidate.
6. The District Commander will forward the nomination and application of the district candidate to Ontario Command by the date specified on the memorandum. **Each District may nominate only one candidate and the selection must come with the signed authorization of the District Commander (see 7(d)).**
7. Each District nomination should include the following:
  - a) A completed application form for the candidate.
  - b) A separate document outlining how the experiences gained will be passed on to youth groups, Legion branches, the media and other organizations upon their return. The candidates must be able to develop their own video or slide presentations.
  - c) A maximum of 2 additional pages (8 ½ x 11 inches) expanding on the application will be accepted and passed on to the selection committee. Where more than 2 pages are received, only the first 2 pages will be sent.
  - d) **A covering memorandum signed by the District Commander endorsing their district candidate.**
8. The nominations from the Districts will be forwarded to the selection committee (the 3 Vice-Presidents). All information that would identify the candidate or the district will be blacked out to ensure impartiality.
9. The Vice-Presidents will be asked to rate the applications on a point basis.
10. The Vice-Presidents will submit their ratings to the command office by a specified date (based on the deadline date from Dominion Command).
11. Dominion Command will be notified of the selected provincial candidate.

12. Final approval rests with the Dominion Youth Committee.
13. Ontario Command is responsible to notify the unsuccessful candidates.
14. When reviewing each application, the following requirements shall be recognized:
  - a) must be of the age of majority (19 years of age in Ontario).
  - b) must be a member of The Royal Canadian Legion and possess proper Legion dress while on the Pilgrimage;
  - c) must be active as a leader of youth groups/youth programs, youth education e.g. teachers, cadet leaders, etc.;
  - d) must attach a separate document to their application form outlining their post Pilgrimage activities, specifically how they expect to pass on their Remembrance experiences gained from the Pilgrimage to youth groups, Legion branches, the media and other organizations upon their return. This individual must also be able to develop their own video or slide presentation and Ontario Command will determine the expectations for presentation.
15. The costs will borne by Dominion Command. This includes domestic travel, international air and coach travel, hotel accommodations, meals, museum admissions and out-of-Canada medical insurance. Accommodation is based on double occupancy. Candidates are responsible for gratuities for the tour guide and coach driver and other items of a personal nature.

*Revised – December 2011*

## COMPLAINT PROCEDURE

It is not the intent of this section to repeat verbatim the General By-Laws. It has been noted that there are three main areas that seem to cause the most problems, frustrations, etc among members and branches alike. They are: the filing, handling and hearing of a complaint. For that reason we have provided additional details for these particular items.

Any member of the Legion may lodge a complaint against another member. The procedure and requirements for complaints and appeals are outlined in Article III of the General By-Laws. These procedures must be followed and failure to adhere to the requirements of Article III can result in a legitimate complaint being rejected and in decisions being overturned for procedural reasons only.

Any member lodging a complaint or against whom a complaint is laid should carefully read the contents of Article III of the General By-Laws to understand his/her rights and the procedural obligations. A formal complaint is a serious matter and should not be entered into lightly. Legion volunteer and paid resources are limited and complaints absorb these resources at the expense of other Legion work. Hence, the complaint procedure is not intended to address personality conflicts or minor oversights and human failings. The best solution to any conflict is to attempt to resolve the matter with the parties concerned and the formal complaint process should be reserved for matters of serious consequence which have a negative impact on the organization. The President has the option of attempting mediation between the two parties. See Article III mediation procedures for full details.

Branches are vulnerable to losing appeals if the procedures are not rigidly followed and extra care must be taken when handling complaints to ensure that the rights of the parties involved are respected and that the time frames and procedural requirements are followed.

*Always use Article III of the current Dominion By-Laws as the absolute authoritative basis for complaints.*

### **Filing A Complaint**

To properly initiate complaint proceedings, a member must;

- i. ensure that the complaint contains a **brief account of the incident or circumstances** which forms the basis of the complaint;

*This is probably the biggest reason for complaints being declared invalid. The summary should be written with sufficient detail and content to allow an outsider to have a full understanding of what took place to support the allegation(s).*

- ii. specify the clause under subsection **304.a.** that applies;

*Complainants forget to put in the 'a' which does not happen if using the Complaint Form.*

- i. breach of clubhouse rules or privileges

*The specific Section(s) should be included in the summary of the Complaint and a copy of the applicable Rules.*

- ii. **profane or disorderly** conduct in or about any place where any event is being carried on under Legion auspices or control;

1. *What exactly was said - Today's standards are changing.*
2. *What was done to be disorderly i.e. Assault, shouting, pushing, etc.*
3. *Where did it happen and what was the event.*

- iii. breach of his obligations to the Legion or of these By-Laws;

1. *What obligation was it? Be specific and cite authority or section that creates the obligation.*
2. *What Section etc of the By-Laws was breached. Be specific.*

- iv. knowingly lodging a false complaint against a member;

*Cannot be lodged until after the hearing dismissal of the fabricated complaint.*

- v. conduct which in any way brings or tends to bring the **Legion** into discredit;

*What is the conduct and what has been the effect on the Legion in the community.*

- vi. theft or **misappropriation** of Poppy funds, Legion funds or property

*Misappropriation defined as - Misuse, fraud, stealing, cheating, embezzlement.*

- iii. sign the complaint; and

*No fax, e-mail or photocopies of the complaint. The original must be the one submitted with an original signature and dated.*

- iv. **address it** to and **lodge it with the Secretary** of the appropriate branch or command **within 15 days** of the alleged offence or in good faith, knowledge thereof.

*Calculate the 15 days by not counting the day of occurrence. Therefore if an incident occurred March 9, the 15 days would end at midnight on March 24.*

### **Handling a Complaint at Branch Level**

1. In all complaints the Secretary **shall immediately** bring it to the attention of the President and **acknowledge receipt** to the complainant as **either** being properly lodged or not as determined by the President. The Secretary shall serve (see subsection 301.i.) a copy of the **properly lodged complaint** on the member against whom the complaint was lodged **within seven days**.

*The President determines if all of the criteria under 304.b. have been met including the following:*

- (i) *Brief summary sufficient to create reasonable & probable grounds to support the allegation. Identify both parties*
- (ii) *Cite full number identifier. Must be cited as shown e.g. 304.a.iii. etc.*
- (iii) *Complaint is signed*
- (iv) *Lodged with the Secretary within 15 days of alleged offence or in good faith, knowledge thereof.*

A COMPLAINT WHICH COMPLIES WITH THE REQUIREMENTS OF SECTION (304.b.) SHALL BE DEEMED TO BE PROPERLY LODGED. ANY COMPLAINT WHICH DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION SHALL BE DISMISSED BY THE PRESIDENT ON THE REPORT OF THE SECRETARY.

*The President should draft a report explaining why he either did or did not dismiss the complaint. This is not a rubber stamp process and the President may be called upon to justify his actions. This report can be retained by the President until or if required. However if the complaint is dismissed, the letter to the Complainant should cite the reason for dismissal e.g. It fails to provide sufficient details in the summary to support the allegation pursuant to S. 304.b.i. GBL.*

**Note:** Where the complaint has not been properly lodged, the President shall dismiss the complaint and advise the Secretary to advise the complainant in writing that the complaint has been dismissed and provide the reason for rejection of the complaint.

2. Where a complaint has been properly lodged in accordance with Subsection 304.b. and pending the final disposition of such complaint, the President of the command or branch **may deprive** the member against whom the complaint is lodged, of clubhouse privileges and remove him from office or position held. **Such deprivation and/or removal are not appealable.** However, if the complaint is withdrawn or found to be unsubstantiated upon completion of the hearing, the member shall be immediately reinstated for all purposes and any removal from office is deemed to have never occurred.

1. *The deprivation and removal from office/position should only be applied when the circumstances warrant and not a matter of course.*

2. *Member does not lose credit for time served in office if Complaint is withdrawn or dismissed.*
3. The President may cause both parties to be contacted to determine whether mediation should be attempted to resolve the complaint. **See mediation procedures.**
4. Within 21 days of receiving the complaint the **President shall appoint** a Complaint Committee.
  1. *Count the days starting the day after receipt of the complaint by the Secretary.*
  2. *Must be voting members in good standing. (Chairman, 2 sitting and 2 waiting members)*
  3. *Only one Executive Member of the five can be appointed.*
  4. *Ensure that there is no Conflict of Interest*
  5. *Committee may be formed of voting members from outside the Branch but it is still the Branch or Command President's job to appoint them, not Zone or District.*
5. The **Committee Chairman shall decide on a date and place of a hearing** to be held **not later than** 45 days after the appointment of the Chairman.
 

*Same counting method as previously noted to calculate total days.  
This is the Complaint Committee Chairman's job, not the President or any other member.*
6. **At least 21 days** before the hearing the **Committee Chairman or his designate** shall serve (see Subsection 301.i.) **notice on the parties advising them of the date, time and place of the hearing, their right to be heard, to call witnesses and the names of the Committee members including the members in waiting.**
  1. *Letters can be done by Secretary or Complaint Committee Chairman and must include all of the above. A Form letter ensures consistency. See samples provided.*
  2. *It is the Chairman's responsibility to ensure that the notices are served on the parties.*
  3. *21 clear days. Therefore the recipient must receive the Notice 21 full days before the Complaint Hearing. It is imperative that if using another means of service other than personal that the notice be sent out in advance of the 21 day limit to ensure receipt before the 21 days. Thus if the Complaint Hearing is on the 30<sup>th</sup> day of a month, the recipient must receive the notice on or before the 8<sup>th</sup> day of that month.*
  4. *Can not be sent to Agents or lawyers. Applies across the board.*
7. Each party shall have the privilege of **one preemptory** challenge of any **one** of the members **except** for the Chairman, by **servicing notice** thereof of the Chairman **at least 10 days prior** to the hearing. No challenge will be allowed at the hearing.

1. *Can only challenge one of the declared members not waiting members unless elevated.*
  2. *Can not challenge the Chairman.*
  3. *Onus is on challenging member to ensure that notice is served as per S. 301.i. at least 10 days prior.*
8. The provisions of subsection 301.c. must be strictly observed.
1. *Conflict of Interest*
  2. *Use Common Sense if you think there is a conflict, either real or perceived, there probably is.*

### **Mediation Process**

1. Upon the lodging of a complaint at any level, the President of the respective Branch or Command **may** cause the parties to be contacted to determine whether mediation should be attempted to resolve the complaint.
  1. *Many factors influence - Allegation, circumstances, office, relationship, etc and it is at the prerogative of the President to offer mediation.*
  2. *Normally ask the complainant first and if he says no, that ends it right there.*
2. Where it appears that **mediation may resolve the complaint**, the President of a Branch or Command shall appoint a mediator or a mediation team for this purpose.
 

*Choose wisely - Ensure there is No Conflict of Interest and the mediator is not on the Complaint Committee.*
3. Either party, the mediator or the mediation team may terminate the mediation process at any time by **giving written notice** to the President.
  1. *Must be signed and dated & addressed to the President.*
  2. *Keep in mind the rules re delivery of documents.*
4. Where a mediator or mediation team is appointed, the time periods set out in Article III continue to apply.
 

*President must continue to appoint a Complaint Committee re Time Limits and should not await the results of Mediation. Easier to cancel the Hearing Date than go beyond the time limits and open up an avenue for appeal or fail to deal with the Complaint pursuant to S. 312. GBL.*
5. A mediated resolution may include **any disposition as set out in Section 311.**

*Note: Breach of the Clubhouse Rules limits the dispositions available.  
There is no option to apply any other disposition other than those found in S. 311.*

6. Any resolution by mediation **must be in writing and signed by both parties** and the mediator(s). The complaint is then deemed to be concluded for the purpose of this article and there is **no appeal** from the result.

*Must be agreed to and signed by both parties with the Mediator acting as the signing witness to both parties signatures.*

### **Hearing Procedures**

Certain principles must be borne in mind by the committee at all times during the hearing.

- A member is presumed innocent until proven otherwise.
  - The onus is upon the complaining member to establish the probability of the allegations made in his complaint to the satisfaction of the Committee, failing which, the complaint must be dismissed. The benefit of doubt must be given to the person against whom the complaint is lodged.
  - The member complained against is entitled to the full details of the complaint.
  - The evidence, where possible, should be the best evidence available (i.e., given by the witness in person and not by written submission. If impossible to have the witness there, then a sworn declaration is desirable).
1. Where, **at any stage during the Hearing Procedure** set out in Section 308 and 309 civil or criminal proceedings are commenced, the Hearing Procedure **shall be suspended until a judgment is rendered in the civil or criminal proceedings**, at which time the Hearing Procedure will continue, upon notice to the parties, at the point at which it was suspended.
    - i. *Do not wait to lodge complaint till after proceedings. The complaint should be lodged at the time of the incident or when the complainant has the necessary reasonable & probable grounds. Proceedings commence when actual criminal charges are laid or a civil writ is filed in a court of proper jurisdiction. I.e. A police investigation does not qualify as proceedings and therefore does not qualify as a reason to suspend the hearing.*
    - ii. *The complaint must have been declared valid and properly lodged before this section can apply and result in its suspension.*
    - iii. *Wait for the thirty day appeal period after the date of the judgment and confirm that no appeal has been submitted to the judgment before recommencing the Hearing Procedures.*
  2. The **Complaint Committee** shall **hear the evidence** in support of the complaint in the presence of the member complained against and his agent if the member desires. **Both parties or their agents (but not both)**, shall have the right to introduce evidence, cross-examine witnesses and to call witnesses on their behalf.
    - i. *An Agent only has standing at the Complaint Hearing and has no authority to act on the member's behalf either before or after the Complaint Hearing.*

- ii. *Can not have the member and his agent both doing the job. One or the other. Therefore if the Agent introduces evidence and questions witnesses, he must carry the duties throughout the entire hearing and the only time that the member would be allowed to speak would be while testifying.*
3. Evidence **should normally** be given under oath/affirmation **when practical** to do so.
- i.. *All verbal evidence should be under oath or affirmation. See General By-Laws Section 309 for examples.*
  - ii.. *Documents can be used, but must be entered by someone testifying to their correctness and accuracy. Usually only business records i.e. Bar Steward Diary.*
  - iii. *Sworn Affidavit evidence may be used on those occasions when the witness is unavailable.*
4. If the member complained against does not appear, **without due cause and notification**, the committee, **upon proof of service** to that member, may proceed in his absence.
- i. *Notification addressed to the Complaint Committee Chairman should be in writing and must state the reason(s) for failing to appear and seeking an adjournment. There may be occasions when a valid emergency arises and only a telephone call as notice, or some other means of communication is all that is available rather than written notice. Each situation must be assessed on its own merits. The failure to provide notification and due cause allows the Complaint Committee to proceed with the Hearing if it can be proven that Notice had been served pursuant to S. 308.e.*
  - ii. *The Complaint Committee may hold an in camera session to consult and advise the Complaint Committee Chairman re whether to proceed or not.*
  - iii. *If the Complaint Committee Chairman is satisfied with the notification and due cause he may postpone the Complaint Hearing. The other side has no right of appeal respecting this matter as it falls entirely within the responsibilities of the Complaint Committee Chairman.*
5. If the complainant does not appear, **without due cause and notification**, the Committee upon proof of service on the complainant, **shall dismiss** the complaint and may assess costs.
- i. *The Complaint Committee has no latitude in its decision if they are satisfied that the member received proper Notice of the Hearing and failed to provide due cause and notification re their absence, they must dismiss the Complaint.*
6. The **Chairman for due cause and with notification** may postpone the hearing for a period not to exceed 60 days from the date originally scheduled.
- i. *Specifies how long hearing can be postponed and can only be requested once by either party.*
  - ii. *Parties must receive a Notice re new Hearing date as per S. 308. e.*

- iii. *Request should be made a reasonable time prior to the Complaint Hearing date to afford sufficient time to notify other party.*
  - iv. *The decision is the Complaint Chairman's alone.*
7. A **record of the proceedings** shall be prepared and supported by **either** a voice or video recording **or** where feasible, by a qualified court reporter.
- i. *You must draft a transcript of the Hearing and it should be certified as true and correct and retained in the Complaint File for reference and Appeal Purposes.*
  - ii. *The transcript must be supported by voice or video recording or qualified court reported.*

### **Hearing Committee Disposition/Decision**

1. The Complaint Committee **may either dismiss** the complaint **or if proven**, impose **one or more** of the following:
- i. reprimand (may require a letter of apology);
 

*Can dictate to who and how the letter is presented i.e. Read by the Accused at a General Meeting, etc.*
  - ii. deprivation of clubhouse privileges for any period up to 24 months;
    - 1. *See Section 310 b.c. for definition.*
    - 2. *Have also used Time Served i.e. The Member was deprived and removed from Office at the time of the Complaint which amounted to three months. The Complaint Committee assesses a Disposition of 3 months Deprivation and Removal from Office and declares Time Served. The penalty has therefore already been served and the Member returns to normal.*
  - iii. removal from any office **or** position held **and** prohibition from running for and holding any office, for a period of up to 24 months;
 

*Office i.e. Executive Office  
Position - Chairman of Bar Committee*
  - iv. suspension from **the branch** for any period up to 12 months; **and/or**

*See Section 310 c.i. for definition.*
  - v. Expulsion from the Legion.

1. *Branches in expelling a member have also included other above disposition i.e. removal from office, suspension, etc. as Expulsion will be held in abeyance until confirmed by Command.*
2. *Note, Section 311.c.iv.*

The above are the only dispositions available to Complaint Committees and any deviation may jeopardize the Hearing and result in a successful appeal.

2. Where a complaint **alleges only** a breach of clubhouse rules or privileges, the committee **may dismiss** the charges, or, if proven, impose **one or more of the following:**

**Only two choices if guilty.**

- i. deprivation of clubroom privileges for a period not to **exceed 12 month;** and/or

*Half the time period to that of other allegations.*

- ii. issue a reprimand that may also require a **letter of apology** to the Branch **and/or** if applicable, to the individual or individuals that may have been aggrieved.

1. *Committee can decide whether the member must read and file his Letter of Apology at a General Meeting, or whether just direct it to a member or members or both.*
2. *Prudent for the Complaint Chairman to receive a copy of the Letter of Apology to ensure that it has been done and confirm with the aggrieved party(s) that it has been received, and that it is actually a Letter of Apology.*

3. The decision of the Complaint Committee shall be **forwarded to the Secretary of the Branch/Command, and served** (see Section 301.i.) on both parties to the complaint, **within 30 days of the hearing.** The decision is final unless appealed under Section 314.

- i. *Decision goes to the Secretary who ensures service to the parties*
- ii. *Service again is the important factor*
- iii. *Use calculation method re 30 days as previously noted.*

4. Where the decision provides for expulsion from the Legion, the decision shall be **served immediately** on the next superior Command and **shall not become effective until it has been considered under Subsection 314.g.**

**Note** – The decision and all supporting tapes, transcripts and documents should be sent to Command ASAP following the Complaint Hearing.

*It will be reviewed by the Constitution and Laws Chairman regardless of whether the appeal was submitted by the accused or not.*

*\*\* Branches must keep good records of Complaints with a copy of same in the member's file.\*\**

### **Appeals**

Appeals are self-explanatory under Section 314 of the General By-Laws. They must be filed **within 30 days of the notice of decision**. Appeals shall include any evidence and documents submitted to the complaint committee. **No new evidence shall be accepted.**

### **Failure To Deal**

This is found under Section 312 of the General By-Laws. Where a complaint has not been proceeded with in accordance with the **time limits** required by these By-Laws, **the complainant or the member complained against may** send a copy of the complaint to the next superior Command which **shall** initiate the necessary action.

### **Withdrawals**

A complaint made under Section 304 may be withdrawn **by the complainant** at any time by **written notice given to the appropriate Secretary.**

*Same rules apply re Service and the onus is on the Complainant to ensure receipt by the Secretary It is therefore advisable to use Section. 301.i. as GUIDE.*

### **Additional Comments on the Procedure for Complaints**

1. There is a fine line between employee and member. The Bar Steward while working, if a member, should make an entry in the log book re an incident rather than lodging a complaint as he is acting as an employee at the time. The President or his designate would then have to lodge the complaint.
2. At no time shall the complaint procedure be used concerning matters of an employee/ employer nature. These matters must be resolved by the Branch Executive (or assigned committee) and within the Labour Standards Act.
3. The reasonable and probable grounds referred to in Section 304.a. may be on the basis of the **member's personal knowledge**, or on **information supplied** to him by some other person.

Examples: Bar Steward Diary - Complaint by President & Branch Member vs. LA Member to LA President. The complainant does not have to witness the incident nor be present for it to lodge a complaint.

4. Except where noted in General By-Laws, where the complaint is against a Branch member, it **must be lodged with the Secretary of the Branch** to which the member against whom the complaint is made belongs.
5. Where the complaint is lodged against a Branch President, **elected** Zone, District or Provincial Command officer, it must be lodged with the PROVINCIAL SECRETARY.

Check the Provincial By-Laws to determine who is elected in Zone & District. Normally it will be the Commander and his Deputy (s). In some areas the Sports Officer is also elected. There is no provision for any other Office to be elected at those levels in our By-Laws.

6. A group of members cannot lodge a complaint against a member or a group of members. If a member wishes to lodge multiple complaints he must lodge separate complaints against each member. The only grounds which can be considered are the ones listed in the By-Laws. The complaint must be specific when referring to the offence.
7. If theft or misappropriation as noted above is suspected, a report should be filed with police along with Legion complaint being lodged. The police investigation may or may not result in charges. Neither situation has a bearing on the Legion Complain which does not require the same high level of proof as required in court.
  - i. Further a Branch should not agree to accept repayment from a member in this situation as this would nullify any subsequent criminal charges and force the Branch to pursue the matter through civil process if the member defaults on payment.
  - ii. Finally insurance companies require that criminal matters are reported to the police and that the victim (Branch) cooperate with the police investigation. This also provides an opportunity for a Restitution Order for Repayment if the member is found guilty as part of their sentence.
8. In no case shall a complaint be initiated **more than one year after the actual occurrence of the event, unless** the complaint alleges theft or misappropriation of Poppy funds, Legion funds or property.

Confusing Section. Only applies as noted and respects Knowledge thereof which once known, you have 15 days to lodge the complaint.

Example: 2 years pass and a forensic audit finds that the Treasurer had fraudulently paid herself for expenses that she did not incur. A member would have 15 days from the date of his knowledge of the fraud coming to light to lodge a complaint.

9. Complaints against an L.A. member may only be lodged by another L.A. member. Where the member complained against is a member of the Branch and the L.A., any penalties imposed will apply in respect of both the Branch and the L.A.

- i. If the member has Dual Membership, then a complaint can be laid by a Branch or LA Member against same.
- ii. LA Member only - Non LA Member can forward letter of complaint to LA President similar to the Bar Steward actions and the Branch President.

Note: ...the possibility of a branch member lodging a complaint against another member who is both a Legion member and a member of the Ladies' Auxiliary...the complaint can go ahead...he is lodging a complaint against another member, regardless if the actions of the lady were done while she was performing duties for the Auxiliary.

### **Guidelines For The Complaint Committee**

These guidelines are not intended to be exhaustive and are provided to assist the Complaint Committee in carrying out its duties. All members of the Committee should carefully study the requirements of the Complaint Procedure as outlined in Article III of the General By-Laws.

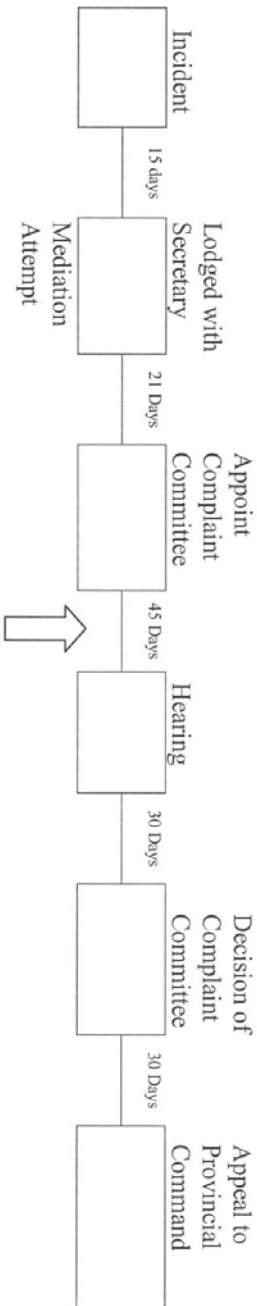
- a. The only persons that should be in the room when the hearing is taking place is the Committee Members, the complainant, the person complained against, an agent(s) and a recording secretary. Witnesses are called in one at a time to give testimony and then leave when completed.
- b. The complaint shall be read aloud to those present at the opening of the hearing and the member complained against, if present, shall be asked if he understands the nature of the complaint and to admit or deny the offence.
- c. Both parties shall be asked if they are satisfied that all formalities have been complied with, in accordance with Article III of the General By-Laws. Note any objections. The committee may decide to proceed, notwithstanding any objections.
- d. The complaining member or his agent shall state the nature of the complaint.
- e. Witnesses shall be sworn in as follows:
  - Oath: Do you solemnly swear to tell the truth so help you God?
  - Answer: I do.
  
  - OR
  
  - Affirmation: Do you affirm to tell the truth?
  - Answer: I do.
- f. The complaining member or his agent shall call witnesses in support of the complaint in order of sequence.

- g. Witnesses should identify and verify any documents, shown to the member complained against and/or his agent, for perusal and such documents should be marked with an exhibit number. The Chairman should mark the date on the exhibit and initial.
- h. The testimony at the Hearing should be relevant but should not be curtailed if justice demands.
- i. The Hearing Committee should make written notes on the testimony of each witness and have the witness sign as follows:  
  

“I hereby certify that the above is a correct summary of the evidence I have given.”
- j. After each witness has given testimony, the member complained against or his agent has the right to cross-examination. The Chairman should advise him of this right and invite him to exercise it with each witness. Once the witness has given his testimony and has been cross-examined, if desired, he is excused from the hearing prior to calling the next witness.
- k. After all the witnesses to the complaint have been heard, advise the member complained against that he has the right to call witnesses and give evidence on his own behalf and the complaining member or his agent shall be given the right to cross exam these witnesses. Item (f) also applies to this testimony.
- l. All objections should be noted in writing.
- m. Prior to the conclusion of the hearing, ask the member complained against if he has anything else which he may wish to add, relevant to the hearing or matter under investigation.
- n. At the conclusion of the hearing, it should be noted for both parties that the Complaint Committee will review all testimony given and documentation submitted and then render a decision within 30 days to the Branch (Command) Secretary and that they will then be advised in writing of the decision by the Secretary. At this point, both parties to the complaint and their agents (if applicable) are then excused from the hearing.
- o. After reviewing all of the material and testimony presented, the Complaint Committee must render a decision (see Hearing Committee Disposition/Decision and Article III, Section 311). The decision should be recorded for the purpose of the recording secretary as well as written and signed for the purpose of the branch secretary.
- p. The decision should not be discussed with any parties to the complaint.

## “COMPLAINT PROCEDURE LINE LOGIC”

### COMPLAINT PROCEDURE



Note:  
Minimum 21 Days  
Notice of Hearing

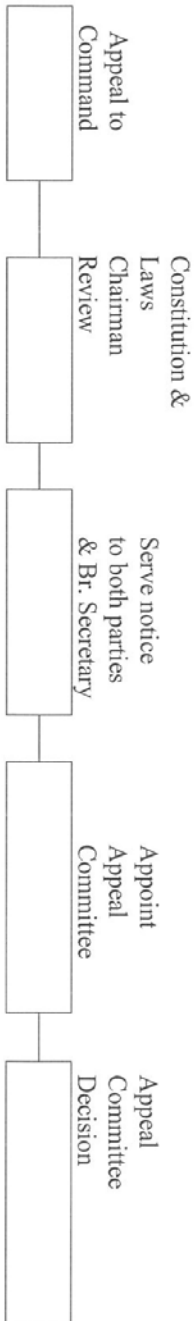
**Challenge**

One challenge at least 10 days prior to the Hearing by registered mail, etc. The Chairman cannot be challenged.

**Delay of Hearing**

The Hearing may be deferred up to 60 days with just reason and proper written notification to the Chairman.

### *'APPEAL TO PROVINCIAL COMMAND'*



## Sample of Notification Letter of Properly Lodged Complaint

Date

Certified or Registered Mail or Priority Post

Delivery of the document to member personally with a witness

Name

Address

Town/City, ON Postal Code

Dear Comrade \_\_\_\_\_:

RE: COMPLAINT LODGED AGAINST YOU BY COMRADE \_\_\_\_\_  
BRANCH NO. \_\_\_\_\_

We enclose a duplicate copy of complaint lodged against you by Comrade \_\_\_\_\_. The President has determined that the above noted complaint was properly lodged.

Comrade \_\_\_\_\_, President has advised that effective immediately you are hereby removed from all offices and positions held by you and deprived of clubhouse privileges, pending the final disposition of the complaint as per Article III Section 304 (h) of the General By-Laws, as amended September 2010. **(Note: This is an option, not mandatory)**

Comrade \_\_\_\_\_ has also indicated that mediation will not be offered to either party and the complaint will proceed as required under Article III, of the General By-Laws. You will be notified in due time of the Complaint Hearing date, time and place.

Yours fraternally,

Secretary, Branch \_\_\_\_\_

**Sample of Mediation Letter  
(For Mediator)**

Date

Name

Address

City, ON Postal Code

Dear Comrade \_\_\_\_\_:

RE: COMPLAINT LODGED AGAINST COMRADE \_\_\_\_\_, BY  
COMRADE \_\_\_\_\_, BRANCH NO. \_\_\_\_\_

In accordance with Article III Section 306 of The Royal Canadian Legion General By-Laws as amended 2010, Comrade \_\_\_\_\_ President of Branch \_\_\_ has requested mediation in the above noted complaint and both parties have agreed.

I have enclosed a copy of the complaint and subsequent correspondence to assist you with the mediation, please note that any agreement **must be in writing and signed by both parties and yourself** with a copy to our office.

As per the President, the mediation dealing with the complaint will take place as follows:

Date: \_\_\_\_\_

Place: The Royal Canadian Legion, Br.  
Address  
City, ON Postal Code

Time:

Please note: that this meeting is held with the mediator and the two parties only. There will be no calling of witnesses for either party.

Yours fraternally,

Secretary

Cc:

**Date Sample of Hearing Notification Letter  
(To a member against whom a complaint has been lodged)**

Certified or Registered Mail or Priority Post  
Delivery of the document to the member personally with a witness

Name  
Address  
Town/City, ON Postal Code

Dear Comrade \_\_\_\_\_:

RE: COMPLAINT LODGED AGAINST YOU BY COMRADE \_\_\_\_\_, BR. #

Comrade \_\_\_\_\_ President of Branch # \_\_\_\_\_, has appointed a Complaint Committee to deal with the complaint. Please note, Comrade \_\_\_\_\_ has advised mediation will not be offered to either party as per Article III, Section 306 (a) of the General By-Laws as amended 2010.

The Complaint Committee will consist:

Comrade _____	Chairman
Comrade _____	Member
Comrade _____	Member
Comrade _____	Waiting Member
Comrade _____	Waiting Member

The hearing dealing with the complaint will take place as follows:

Date:

Place: The Royal Canadian Legion, Br.  
Address  
Town/City, ON Postal Code

Time: A.M. / P.M.

At least ten days prior to the hearing, you may have the privilege of one peremptory challenge of any one of the members. This must be by prepaid certified or registered mail or courier or documented personal service with a witness. Comrade \_\_\_\_\_ is afforded the same privilege. The Chairman may not be challenged and no challenge will be allowed at the hearing.

The Chairman for due cause and with notification may postpone the hearing for a period of 60 days from the date originally scheduled.

The Complaint Committee shall hear the evidence in support of the complaint in your presence and that of your agent (if desired) and you or your agent shall have the right to introduce evidence, cross-examine witnesses and call witnesses on your behalf. Comrade \_\_\_\_\_ shall have similar rights.

If you do not appear at the hearing without due cause and notification, the Committee may proceed in your absence.

Please be advised that you have the right to be heard and to call witnesses on your behalf.

Yours fraternally,

Secretary, Branch #

cc: Complaint Committee

**Sample of the Hearing Committee Decision Letter**

Date

Cerified of Registered of Priority Post

Or Delivery of the document personally in the presence of a witness

Name

Address

City, ON Postal Code

Dear Comrade \_\_\_\_\_ :

RE: COMPLAINT LODGED AGAINST YOU BY COMRADE \_\_\_\_\_  
BRANCH NO. \_\_\_\_\_

After careful deliberation and examination of all evidence in the above noted complaint, the Complaint Committee has rendered its decision as follows:

The committee finds that you have violated Section 304 \_\_\_\_\_  
\_\_\_\_\_ and imposes the following disposition in accordance with Section 311.

Examples:

- a. ii *Deprivation of clubhouse privileges for a period of 12 months*
- a. iii *Removal from any office or position held and prohibition from running for and holding any office, for a period of 12 months.*

Yours fraternally,

Secretary, Branch #

cc:

## DISTRICT AND ZONES

The General By-Laws define 'District' and 'Zone' and each are formed for administrative purposes within a Provincial Command. Provincial Commands are solely responsible for the administration of zones and districts within their jurisdiction and the districts and zones are to perform such duties and functions as the Provincial Command may deem necessary. The Provincial Command is authorized to enact By-Laws for determining the right of attendance and voting privileges at Zone and District Conventions and other matters of procedure.

**Proxy voting at District or Zone Conventions is not permitted.**

The Command may authorize a District or Zone to raise funds for carrying out its duties, powers and functions by such methods as authorized by By-Law ( i.e. per capita assessment, etc.), but subject to any restrictions or limitations contained therein.

**Any real or personal property or funds possessed by a District or Zone are the property of the Provincial Command and shall be possessed, held or used by the District or Zone as an administrative agent of the Command.**

The District and Zone are not legal entities of the Legion and no charter is issued to them. They may not make decisions as to Legion policy or administration, inconsistent with the policies in effect or contrary to the Provincial and Dominion By-Laws.

The General By-Laws of the Ontario Command do not provide the authority for, a Zone or District to have the authority to, legislate that Dominion Command Officers and/or Dominion Command Standing Committee Chairmen residing within a Zone or District, be made members of a Zone or District Executive Council.

Zones and Districts underwrite the cost of Past Zone/District Commander medals.

The By-Laws do not provide for Zones and Districts to make resolutions and branches are not obligated to submit a resolution to the Zone or District, though approval by the Zone and District adds weight to the resolution. If a branch resolution is not approved at a Zone or District Convention the onus is on the branch to submit the resolution to Ontario Command, if the branch still wishes the resolution to go forward.

District and Zone Commanders must attend the Dominion Convention as a delegate of a branch and hold no standing to vote as a PEC member. If the Commander attends as a delegate of his own branch, proxy votes (maximum of 4) may also be carried.

District and Zone Commanders may attend Provincial Conventions as a delegate of PEC or as a delegate of their own branch. If the Commander attends as a delegate of PEC, no proxies may be carried.

## **Insurance Coverage**

Ontario Command has policies to cover the following:

- **General Liability** - for general claims against the zone, district or provincial command.
- **Directors' and Officers' Liability** – covers all PEC positions, Deputy Zone Commanders, and all other elected and appointed officers at the provincial, zone and district level.
- **Travel Insurance for death and dismemberment** - limited coverage for death and dismemberment in accordance with the policy for the following members under age 75 years: PEC, CF Directors, Members serving on Boards of Management or Branch Advisory teams, all elected and appointed officers at provincial, district and zone levels.
- **Dishonesty policy** - covers the following positions: Signing officers of Ontario Command, District Commander, Deputy District Commander, District Treasurer, District Sports Officer, Zone Commander, Deputy Zone Commander, Zone Treasurer, and Zone Sports Officer.

Claims must be reported immediately to Ontario Command and coverage is only to the extent of the provisions of the insurance policy applicable. In accordance with the Act to Incorporate, branches are autonomous with respect to their operations and are not covered by the insurance policies purchased by Ontario Command.

## **DISTRICTS**

The District is subject to the jurisdiction of the Command.

A District Commander and Deputy District Commander(s) are elected by representatives of the branches of the district in which they are a member, at a duly called District Convention held prior to a Provincial Convention. The term of office shall be from the conclusion of the Provincial Convention immediately subsequent to his election to the conclusion of the next Provincial Convention.

The District may elect by ballot a District Sports Officer or he/she may be appointed by the District Commander.

### **Responsibilities following election to the position of District Commander**

- Advise the Command Office of the names and addresses of the appointees to the Provincial Standing Committees as noted: Training and Organizational Development, Membership, Poppy, Public Relations, Sports, Track & Field, Veterans Services/Seniors and Youth Education; Branch Financial Advisory Committee;
- Advise the Command office of the district representative to the Board of Directors of the Charitable Foundation and to the Bursary Committee;

- Appoint a minimum of 2 members from the district who are proficient in branch financial operations and who possess the necessary people skills to act as District Branch Advisors;
- Appoint a District Web Site Coordinator who collaborates with the Provincial Web Site Coordinator on district material that should be included, corrected, changed, etc., on the Ontario Command Website ( [www.on.legion.ca](http://www.on.legion.ca) );
- Notify the Command Office of the names, addresses, telephone numbers, etc., of the incoming District and Deputy District Commander(s) following the District elections;;
- Meet with the newly elected Zone Commanders following convention to outline their duties and responsibilities;

### **General Duties and Responsibilities of a District Commander**

- To co-ordinate in conjunction with the Zone Commander, seminars at Zone level;
- To encourage the attendance of members of the Ladies' Auxiliary at District and Zone Seminars;
- To make certain that Branches participate in Command programs and projects;
- To ensure that Branches adhere to the General By-Laws of the Legion and that of the Ontario Command;
- To foster good working relationships and open communications between the Branches and the Ladies' Auxiliaries to the branches within the district;
- To impress upon branches, the necessity of good public relations within the community;
- To convene District Executive Council meetings;
- To oversee the organization and planning of District Conventions;
- To submit the reviewed financial statements for the district (including sports) within 90 days of the end of the fiscal year for review by the senior elected officer assigned to the district;
- To make certain that Zone Commanders are aware of their duties and responsibilities;
- To ensure that Zone Commanders submit the reviewed financial statements of the zone including sports within 90 days of the end of the fiscal year. The District Commander should review all statements including sports and red-flag statements which require attention and consult with the senior elected officer responsible for the district, as required, to determine the action to be taken. The statements should be forwarded to the Command office. Only the statements that have been red-flagged will be forwarded to the appropriate senior elected officer;
- To ensure submission of the branch inspection reports from the Zone Commanders within 21 days of the visit and no later than January 31<sup>st</sup> ;
- To review all branch inspection reports on a timely basis, submit the reports on a regular basis to the command office, and red-flag those reports that require immediate or future action. ***When immediate action is indicated, the District Commander, in consultation with the Zone Commander should initiate action to address the problems and advise the senior elected officer responsible for the district of the action taken through a brief written report.*** If advice is needed on how to proceed the District Commander should discuss the situation with the senior elected officer responsible for the district, who will in turn notify the President.
- To render assistance to Zone Commanders as the need arises;

- To implement district branch advisory assistance at the request of the Executive Committee of a branch or when the District and/or Zone has determined that the executive needs outside assistance to cope with problems within the branch;
- To make certain that Zone Commanders instruct branches to submit information as directed:
  - Attendance at Seminars
  - Completed Poppy Report Form
  - Entries in Branch Bulletin and Scrapbook Contest
  - Information to Schools on the Literary Composition, Poster and Public Speaking Contests and Bursary Program
  - Track and Field Competition
  - Copies of the Branch Bulletin to be mailed to the Provincial Public Relations Chairman and the Ontario Correspondent
  - Membership information to Zone and District Chairmen
  - Branch Programs and Community involvement
- To visit at least one zone and attend one zone council meeting annually, for the purpose of explaining the command policy on all matters which have previously been established by convention and Provincial Executive Council meetings, and ensure that the command policy is adhered to in its entirety;
- To ensure that the district is represented at all provincial standing committee meetings. A copy of the notice will be mailed to the District Commander for information purposes;
- To ensure that standing committee programs are discussed at district level and to organize seminars, in conjunction with his District Chairmen at district and/or zone level;
- To submit a report to PEC one month prior to the PEC meetings;
- To approve all expense claims emanating within the District. This review should include ensuring the reasonability of the claim (mileage, meals, etc.) and that the purpose and date of the travel expense are duly noted, with proper documentation/receipts, when accommodation and expenses other than mileage and meals are claimed. Meal claims should be reasonable, based on out-of-pocket expenses and **must not include meals for a spouse**;
- To review, sign and date all Life Membership Applications coming from the branches within the district on a timely basis and submit to Ontario Command. The District Commander should also ensure that the Zone Commander has also signed and dated the application.
- To review, sign and date the MSM and Palm Leaf applications coming from branches within the district and submit to Ontario Command on a timely basis. The MSM and Palm Leaf applications also require a signed and dated letter from the Zone and District Commander commenting on the application and whether the application is recommended for approval;
- To ensure copies of the minutes of District Conventions and District Executive Council meetings are submitted to Ontario Command for information purposes.
- To attend Provincial Executive Council meetings in November (usually the Saturday following Remembrance Day but depends on which day of the week November 11<sup>th</sup> falls), Provincial Conventions (held every 2 years in May in the odd year), Dominion Conventions (held every 2 years in June in the even year).
- To recommend whips and scrutineers as requested by the Provincial Chairman for Dominion and Provincial Conventions.

- To nominate, upon request from the command office, a candidate a member from the district who would be a worthy candidate for the Pilgrimage of Remembrance (held in the odd years). Further information is found under the *Pilgrimage of Remembrance* section of this manual and outlines the participation of the District Youth Education Chairmen in this process.

### **General Information for District Commanders**

Attendance at Zone Conventions, Zone Council meetings or Zone Drumhead Services is the responsibility of the District Commander or his Deputy. Provincial Officers will not be available for functions of this nature. (Convention Mandate)

Visitation Policy - All requests from branches for representation by a Provincial Command Officer are to be submitted through the District Commander for approval prior to forwarding to the Command Office.

The *only exception* to the aforementioned paragraph is a request for a Command Officer during Remembrance Week. Requests of this nature will be processed upon receipt.

Invitations extended to Dominion Officers to attend functions must be approved by the Provincial Command prior to any consideration being given by Dominion Command. Ontario Command does not normally provide a Provincial Officer, if a Dominion Officer has been requested and will not approve a request for a Dominion Officer if a Provincial Officer has previously been invited. Requests for a Provincial Officer are based on the assumption that he will be the main speaker.

It is the policy of Provincial Command to entertain invitations and assume responsibility for the payment of normal expenses for Officers and Members of Council. Invitations extended by Branches to former Officers shall be on a direct personal basis and are at the expense of the Branch.

The cost of printing of District minutes, committee reports and bulletins are the responsibility of the District.

Meetings of Provincial Standing Committees will not be held on the same dates as that of a scheduled District Convention (April and October).

**The District Commander is not authorized to visit outside of his own jurisdiction nor to attend Ladies' Auxiliary functions at command expense, without the prior approval of the Command.**

District Commanders are not authorized to attend LA provincial conventions. The District Commander of the district in which the convention is held, may upon invitation, claim expenses to attend the opening of the convention. The only command officers authorized to attend the full LA convention at command expense are the Provincial President and the First Vice-President.

Ontario Command will not authorize payment of expenses for a Legion Officer to attend a Ladies' Auxiliary Convention Committee Meeting for the purpose of organizing and planning of same.

Members of Provincial Standing Committees, other than the Provincial Chairmen, are required to submit Expense Account Vouchers, in triplicate, to their District Commander for approval. The District Commander shall retain one copy, forward one copy to the Command Office for payment and one copy for the Provincial Committee Chairman, for information purposes.

District Commanders are to be allowed up to a maximum of two visits to other districts during a term in office at command expense. The administration of this is done through the command office and an invitation must be extended to the District Commander in accordance with the visitation policy.

A maximum of two (2) District Council meetings annually, at command expense, to be held in conjunction with or prior to the District Convention (a council meeting shall be permitted subsequent to the Provincial Convention).

When Dominion Command is the host to a function within the Ontario Command, i.e., Legion National Track and Field Championships, expenses will be provided for the official Command Representative (Elected officer) only. Expenses for a District Commander to be in attendance at any of the events must be approved by the command in advance of the function.

Ontario Command will authorize districts to establish a Standing Committee on Honours and Awards at **no expense to the Command** (convention mandate).

The presentation of Life Membership Awards awarded by branches to their members shall be the responsibility of the District Commanders, and it is the responsibility of the branch to invite the District Commander for these presentations.

All orders to the provincial command resale division submitted by a District Council member must be processed through the office of the District Secretary-Treasurer.

## **ZONES**

The Zone is subject to the jurisdiction of the District and is composed of all branches within its territorial limits as set forth by the District.

A Zone Commander and Deputy Zone Commander(s) are elected by delegates from all Branches within the Zone, at a duly called Zone Convention held at least fifteen (15) days prior to the next District Convention. The term of office shall be from the conclusion of the Provincial Convention immediately subsequent to his election to the conclusion of the next Provincial Convention.

A maximum of two (2) Zone Council meetings to be held annually in conjunction with Zone Conventions.

A maximum of two (2) visits by a Zone Commander to a branch annually within his own zone at command expense, unless otherwise directed through the office of the Provincial President, other than the annual visit.

The cost of printing of zone minutes, committee reports and bulletins are the responsibility of the Zone.

The Expense Account Policy does not permit the payment of expenses to a Zone Commander for travel outside of his jurisdiction (Zone).

Expense Accounts are to be submitted to the District Commander within 60 days following the end of the month in which expenses are incurred, otherwise, they will not be honoured.

**The expenses of a Zone Commander at social functions shall be limited to Branch anniversaries, Honours and Awards functions, Legion Week and Remembrance Day services and banquet and must be clearly stated on the expense account voucher.**

The Zone Commander is not authorized to accept invitations to Ladies' Auxiliary functions without the prior approval of the Command. A Zone Commander may attend only one LA function per term of office at command expense.

### **General Responsibilities of a Zone Commander**

- To exercise general supervision over branches within the zone;
- To convene Zone Executive Council and Zone meetings on a regular basis;
- To inform each Branch President that he is a member of the Zone Executive Council and that he is required to attend meetings of the Zone and Executive;
- To forward a copy of the Zone Convention and Zone Executive Council meetings to the command office;
- To submit the reviewed financial statements for the Zone (including sports) to the District Commander within 90 days of the end of the fiscal year;
- To share information and confer with the District Commander on specific branch problems and issues and to assist in the determination of the action to be taken;
- To request that branches prepare their financial statements in sufficient detail to determine anomalies, with comparative figures from the previous fiscal year so that variances can easily be determined;
- To arrange for the annual visitation to branches by notifying the branches within the zone in writing of the date and time of the planned annual visitation to the branch well in advance of the visit. This notification should request that the following records be available for the inspection and enough time should be allowed for a proper review of these records:
  1. The most recent financial statements for the past fiscal period.
  2. The most recent financial statement for the Poppy Fund.
  3. The most recent financial statement for all Lottery Funds held.
  4. The minutes of the Executive and General Meetings for the past fiscal period.
  5. A copy of the branch regulations.
- To attend a meeting of the Executive Committee and of the General Membership during the branch visitation and monitor for the following:
  1. Are meetings held in accordance with the Legion Rules of Procedure Manual?
  2. Is all correspondence read, in particular all correspondence from the command?
  3. Are membership applications submitted to the general membership for approval?

4. Are the members provided with adequate financial statements for the operations of the branch?
  5. Are there any other observations that should be made and where necessary have additional comments been made above and beyond the branch inspection form?
- To determine how the branch property is held and to ensure that branches do not hold property in the name of trustees, as per section 905 of the General By-Laws;
  - To submit annual branch inspection report forms to the District Commander ***within 21 days of the visit and no later than January 15<sup>th</sup> of each year. The financial statements should accompany the report and problems should be clearly identified with comments regarding any urgent matters;***
  - To inform branches of the available resources to them for branch operations ( branch advisory assistance, publications and manuals that specifically address branch operations, the procedure for the *legitimate* use of lottery proceeds for capital improvements under the building fund policy and for building maintenance and upkeep under the more than 2% policy, property tax relief, etc.);
  - To ensure that the branch is current with respect to HST, and source deduction payments to the respective governments;
  - To ensure that all officers and employees handling funds are covered for dishonesty in the branch insurance policy;
  - To ensure that Branch Poppy Funds are maintained in a separate account;
  - To ensure that the General, Poppy Trust Fund and Lottery Accounts of the branch are reviewed annually;
  - To examine the Branch Poppy Fund ledger to ensure that expenditures are in accordance with the General By-Laws;
  - To notify the Command Office of the names, addresses, telephone numbers, etc., of the incoming elected Zone and Deputy Zone Commander(s) following the Zone elections;
  - To encourage Branches to send delegates to Zone, District, Provincial and Dominion Conventions;
  - To give assistance to branches, as required, and encourage them to participate in all Legion Programs;
  - To ensure that branches adhere to the General By-Laws in their entirety;
  - To foster good working relationships and open communication between the branches and the Ladies' Auxiliaries to the Branches within the zone;
  - To organize, in conjunction with the District Commander, District and Zone Chairmen, seminars on the subject matter noted hereunder:

Track and Field	Poppy	Legion Seniors Programs
Membership	Youth Education Programs	Veterans Services
Public Relations	Training and Organizational Development	Sports

- To encourage the attendance of members of the Ladies' Auxiliaries in the above-noted seminars;
- To review regulation requirements with branches to ensure that they are complied with and that the Committee Chairmen required by By-Law are appointed or elected:

Poppy	Track and Field
Poppy Trust Fund	Membership
Youth Education	Legion Seniors Programs
Veterans Services	Public Relations
Training and Organizational Development	Sports

- To make certain that branches forward the necessary reports and information to the Command, District or Zone, as requested, i.e., names and addresses of Branch Officers upon completion of branch elections;
- To inform branches that all correspondence requiring a reply should be acknowledged promptly and that the purpose of the correspondence shall be brought to the attention of the general membership;
- To advise the branches of the proper method of submission of Honours and Awards applications, as noted in the Honours and Awards Regulations and this manual;
- To review, sign and date the Life Membership applications coming from branches within the zone and submit to the District Commander on a timely basis;
- To review, sign and date the MSM and Palm Leaf applications coming from branches within the zone and submit to the District Commander on a timely basis. The MSM and Palm Leaf application also require a signed and dated letter from the Zone Commander commenting on the application and whether he would or would not recommend the application;
- To encourage branches to perform the ritual and ceremonial duties in an impressive manner;
- To caution branches of their obligations to conform to the Liquor License and Gaming requirements, Employment Standards Act, and all other government legislation that is applicable;
- To ensure that branches do not endorse any products or promotional schemes in the name of the Legion, lend the Legion name to any sponsorship or provide for the use of the trademarks of the Legion in a manner which is inconsistent with the Trademark policy;
- To ensure that participation by branches in parades or other observances which are not of a municipal, provincial or national nature, obtain the approval of the Ontario Command in writing prior to participation.
- To attend Provincial Executive Council meetings in November (usually the Saturday following Remembrance Day but depends on which day of the week November 11<sup>th</sup> falls), Provincial Conventions (held every 2 years in May in the odd year), Dominion Conventions (held every 2 years in June in the even year).

All orders to the Command Resale Division submitted by a member of a Zone Council must be processed through the office of the Zone Secretary-Treasurer.

# **EXPENSE ACCOUNT POLICY**

## **General Information**

Expense Accounts are to be submitted monthly and/or within sixty (60) days following the end of the month in which the expense is incurred; otherwise, they will not be honoured.

All expenses incurred prior to May 31<sup>st</sup> in any year must be submitted to Command for payment, no later than June 15<sup>th</sup> each year.

Expense Accounts must record the date the form was completed, the date that the travel occurred, the purpose of the travel, the kilometres travelled, etc. Receipts must be submitted for air, train or bus fares, accommodation, postage, (only when applicable) etc. Any claim submitted without the required information will be returned. Please note that all expense accounts must be signed.

It is the District Commanders responsibility to verify all expense claims that are being forwarded to Command for payment. The District Commander must sign the expense document as verifying of having done so.

The Expense Account Policy does not provide for the payment of expenses incurred by any officer that extends beyond the term of office.

Any member of the district or zone or member of a provincial standing committee residing outside of the zone or district will be permitted mileage only from his resident branch for travel within his zone or district in carrying out the duties and responsibilities of his office and not from one's place of residence.

While the expense account policy provides for the Provincial President (or his officially designated representative) to attend a memorial service for a member of the provincial executive council, it does not provide authority for payment of expenses to other provincial officers to attend funeral services of Legion members.

Any member receiving monies for a travel expense voucher which has been submitted in advance of, standing committee meetings, PEC & PAC meetings, and provincial and dominion conventions and are unable to attend for whatever reason must reimburse command for the said amount within 14 days of the meeting.

Any expenses not covered in this policy will be the responsibility of the District, Zone or Individual.

All expenses must be submitted on the command provided Ontario Command Travel Expense Voucher or the Ontario Command Expense Form. Any District, Zone or individual fabricated expense form will be returned to the individual for re submission on the proper form.

## **Per Diem Claims**

- 1- Per diem at a specified rate (currently \$ 175.00 per day), which includes accommodation and meal costs,(\$105.00 for rooms and \$70.00 for meals) is paid to all members of the Provincial Executive Council to attend PEC (held in November on the weekend following November 11<sup>th</sup>, when November 11<sup>th</sup> is close to or on the weekend the PEC meeting will be moved automatically to the following weekend), also for provincial standing committee meetings, and provincial and Dominion conventions.
- 2- Two days per diem is paid for attending the PEC meeting.

- 3- Standing committee chairmen may require two days per diem, which must be approved by command prior to departure, other committee chairmen may receive one (1) day's per diem for attending committee meetings. (mileage and registration to be added when applicable)
- 4- In the event that hotel accommodations are not required, one half day's per diem will be paid.
- 5- In cases where the meeting/event will be held other than the command office, the 600 kilometre limit may also apply.(see section C)
- 6- Any other extenuating circumstances, for example; storms, freezing rain etc., will require approval for payment from the Command Office.
- 7- Per Diem is also paid for the President and 1<sup>st</sup> Vice President to attend LA conventions and the biennial Provincial Service Officers' conference, held at the command office.
- 8- For Dominion and Provincial Conventions, PEC members may claim for accommodation costs in excess of \$ 105.00 per day. With exception to travel and registration all other expenses shall be the responsibility of the Districts or Zones. The President may reserve the right to put a ceiling on such additional cost.
- 9- Per Diem is paid to the senior elected officers when they attend the following meetings and events: Administrative Committee Meetings, Provincial Standing Committee meetings based on assigned responsibilities. PEC meetings, the annual joint meeting with the Ladies Auxiliary as well as Provincial and Dominion conventions.

**Out-Of-Pocket Expenses Claimed For Other Travel Are As Follows:**

- 1- Air, train, or bus fare, with receipts or car mileage at the command rate.
- 2- Hotel, where necessary (receipt invoice must accompany the claim).NOTE; Hotel accommodation may not be claimed for Legion meetings, events and functions (other than conventions, and PAC meetings) if the officer resides within 75Km, (one way) unless extenuating circumstances apply and with prior approval when possible. Meals, when necessary, and only in accordance with normal meal habits. Meal expenses must be reasonable and based on out-of-pocket expenses. NOTE; Spouse's meal is not included.
- 3- For senior elected officers, members of PEC, committee members and standing committee chairmen who reside 600 Kilometres or more (one way) may be permitted additional expenses if required. The claim shall be made on an out-of-pocket expense form and shall be accompanied by the hotel receipt. (This allowance would only take effect when any of the above members are required to attend A.M. meetings and meetings which extend into the early afternoon). This clause does not apply to Provincial and Dominion Conventions.
- 4- Legion-related long distance phone calls and faxes (attach a list of those called and for what reason to the expense account). Also attach statement, circle or highlight the call being claimed. Excessive phone calls will be an expense to the individual in question.
- 5- Postage must be reasonable and does not include the cost of an all branch mailing or wide distribution throughout the District or Zone.

- 6- Photocopying and office paper supplies must be reasonable and limited. The cost of multiple copies (e.g., photocopying multiple copies of a report or correspondence throughout the zone or district, for attendees at a seminar or at a convention) is an expense to the Zone or District.

### **Expenses-Senior Elected Officers**

- 1- The expense account policy provided for the payment of the expenses of the senior elected officers in the performance of their duties and also in addition to their duties and any additional duties as assigned to them by the Provincial President.
- 2- Officers who are on Dominion Executive Council are paid for their expenses for Dominion events (DEC, Dominion Standing Committees and Dominion Convention) by Dominion Command.
- 3- Finance meetings are in conjunction with the August Administrative Committee and the December joint meeting.
- 4- See per diem section for additional expenses.
- 5- All other travel for invitations to branches and district conventions is paid based on out of pocket expenses.
- 6- Senior elected officers are authorized to claim 50% of the cost of the most economical plan in their area for long distance calling in Ontario or 50% of the actual cost of the plan, whichever is the lesser.
- 7- Senior officers are authorized to claim up to 40% of consumables such as ink cartridges at command expense.

### **Expenses-District Commanders And Zone Commanders**

- 1- The Provincial Command pays out-of-pocket expenses for District and Zone Commanders in the pursuit of their duties and within the areas that are under their jurisdiction from point of residence.
- 2- Expenses may only be paid to District or Zone Commanders who travel within their own District or Zone, unless prior command approval has been given.
- 3- The expenses of a District or Zone Commander or their representative at a non-Legion function will not be honoured unless prior permission has been granted from the Command Office.
- 4- The election/installation of branch officers is a zone responsibility.
- 5- District and Zone Commanders must obtain the approval of command prior to their acceptance of invitations to a Ladies Auxiliary function; otherwise, expense vouchers will not be honoured. Zone Commanders will be authorized to attend a maximum of one LA function at command expense during their term of office.
- 6- District Commanders are authorized to claim 50% of the cost of the most economical plan in their area for long distance calling in Ontario or 50% of the actual cost of the plan, whichever is the lesser.

- 7- The Expense Account Policy does not provide the authority for payment of expenses to District Commanders or their representatives to attend area public speaking finals outside of their respective districts. This is the responsibility of the District Chairmen only.
- 8- District Commanders are not authorized to attend District Bursary meetings at command expense.
- 9- District Commanders may only claim to attend two district sports events for each year to a maximum of 4 per term.
- 10- When a Dominion event (sport or track and field) is hosted by an Ontario branch, all arrangements for the event are the responsibility of Dominion Command. An expense voucher submitted by a Zone/District Officer for their attendance is an expense of the Zone or District in question. The Provincial President will represent the command at this event.
- 11- The only officers authorized to represent a District or Zone Commander is the Deputy District or Deputy Zone Commander(s) respectively.
- 12- Expenses for Zone and District Officers in the performance of their duties normally designated to a Zone or District Commander or their deputies are an expense to the Zone or District in question.
- 13- The expenses account policy does not provide for the payment of expenses to a District or Zone Officer to attend a meeting to plan and or organize a district/zone convention. This responsibility lies with the District/Zone Commander.
- 14- Branch functions are the responsibility of the branch and do not require a visit from a Zone or District Commander for organizational purposes.
- 15- Registration fees to a convention are restricted to the Legion officer only.
- 16- The expenses of a Zone Commander at social functions shall be limited to branch anniversaries, honours and awards functions, Legion Week and Remembrance Day ceremonies and banquets and the above must be clearly stated on the expenses account voucher.

**In Addition District Commanders May Claim:**

- 1- Receive 5 days per diem, plus travel allowance and registration to attend Dominion Convention.
- 2- Receive 4 ½ days per diem plus mileage and registration fee for Provincial Convention.
- 3- May attend Zone Drumhead Service.
- 4- Are allowed up to a maximum of 2 visits to other districts during a term in office at Command expense. (By invitation extended through the office of Ontario Command).
- 5- Expenses to attend a Dominion Track and Field Camp within own District (must be pre-authorized).
- 6- May claim expenses to attend a meeting to organize a District Convention. (One claim per convention).
- 7- May claim expenses to attend seminars in their area. The subject/seminar may only be claimed once.

- 8- May claim a maximum of two (2) District Council meetings annually, at command expense, to be held in conjunction with or prior to the District Convention (a council meeting shall be permitted subsequent to the Provincial Convention).
- 9- May claim expenses to attend District Conventions.

**In Addition Zone Commanders May Claim:**

- 1- Receive 5 days per diem only for Dominion Conventions whether inside or outside of Ontario.
- 2- Receive 4 ½ days per diem plus mileage and registration for a Provincial Convention.
- 3- Alternates will not be permitted other than exceptional circumstances and only with prior approval from Ontario Command.
- 4- May claim expenses to attend seminars in their area. The subject/seminar may only be claimed once.
- 5- A maximum of two (2) Zone Council meetings to be held annually in conjunction with Zone Conventions.
- 6- Is restricted to 3 visits per year to any given branch within his Zone (One visit for the annual inspection, one visit for elections or installations of officers and 1 additional visit for other functions). Command may direct the Zone Commander to do additional visits pending on the situation of a particular branch.
- 7- May claim expenses to attend District Conventions and District Council Meetings.

**Deputy Commanders' Expenses (District And Zone)**

- 1- The expenses of a Deputy District/Deputy Zone Commander to attend a function that is also attended by the District/Zone Commander will not be honoured.
- 2- Deputy District and Deputy Zone Commanders are only entitled to expenses when they are deputizing for their respective District or Zone Commanders. Further, their District or Zone Commander must be unable to attend the function on that date and the Deputy District Commander or Deputy Zone Commander may only claim expenses to replace their respective Commanders at the function noted hereunder:
  - 1- Branch Anniversary Celebrations commencing with the 10<sup>th</sup> year and at 5 year intervals thereafter.
  - 2- Presentation of Branch Charters.
  - 3- Official Opening Ceremonies of new Branch property.
  - 4- Mortgage burning Ceremonies.
  - 5- Legion Week Celebrations.
  - 6- Events of historical interest or local celebration in which the Legion Branch plays an integral part.
  - 7- Deputy Commanders are authorized to represent the Commander at November 11<sup>th</sup> celebrations, parades, etc., if the Commander is unable to attend.

- 8- Deputy District Commanders are authorized to represent the District Commander at Zone Conventions or Zone Council Meetings if the Commander is unable to attend.
- 9- Deputy District Commanders will receive 5 days per diem, plus travel allowance and registration to attend a Dominion Convention.
- 10- Deputy District Commanders will receive 4 ½ days per diem plus mileage and registration fee to attend Provincial Conventions
- 11- Subject to prior approval Ontario Command may pay the expenses of the Deputy Zone Commander to attend a Dominion and Provincial Convention when the Zone Commander is unable to attend with good reason. The Deputy would receive the same expenses as the Zone Commander.

In the above situations, the prior approval of the Command will not be required unless otherwise noted, but expense accounts must be submitted through Zone and District Commanders for their approval, prior to their submission to Command for payment. The expense claim submitted to Ontario Command must include a copy of the invitation issued by the Branch to the District/Zone Commander to attend the branch function.

**Provincial Committee Chairmen And District Representatives On Provincial Committees:**

- 1- Provincial standing committee chairmen and members of provincial standing committees may claim expenses to attend the annual meetings at the command office. The call for the meeting is sent to the member from the command office, and the Travel Expense Voucher may be submitted back directly to the command office, without the District Commander's signature.
- 2- A District representative on a provincial standing committee will be paid out-of-pocket expenses, as outlined above when he is required to attend a district/zone council/convention to make a report or to make a special Branch visit for a specific purpose within his jurisdiction when requested by the District Commander.
- 3- The Provincial Constitution and Laws Chairmen and the Provincial Veterans Services/Seniors Chairmen are provided with a fax machine on loan from the command office.
- 4- The Provincial C&L, VSS and H&A Chairmen are authorized to claim 50% of the most economical plan in their area for long distance calling In Ontario or 50% of the actual cost of the plan, whichever is the lesser.
- 5- The expense account policy does not provide for the purchase or rental of fax machines for other provincial chairmen or members of provincial standing committees at command expense. However, charges for sending individual faxes may be claimed in the same manner as Legion related long distance charges.
- 6- District representatives on provincial standing committees may not claim expenses related to the purchase of ink cartridges for printers faxes etc., at command expense. This is considered to be a district expense for reimbursement at district level, in accordance with the expense policy of the applicable district or zone.

- 7- District representatives on Provincial Command committees are not expected to attend all zone conventions and council meetings.
- 8- All members of Provincial Standing Committees (other than the provincial chairmen) are required to submit out-of-pocket expense account vouchers in triplicate to their District Commander for his approval, who, in turn, will forward the signed voucher to the command office for payment and one copy to the Provincial Standing Chairmen for his information.
- 9- District representatives on Provincial Standing Committees are required to forward a copy of the report that they will be presenting to a District Convention to the Provincial Chairmen of the committee, in advance of the convention date.
- 10- Members of the Youth Education Committee at district level may be paid out-of-pocket expenses when in attendance at a special function to present awards to the winners of the Literary and Poster Contests at the Dominion level. The presentation of awards to provincial winners at branch level is the responsibility of the Branch, Zone or District Commander and not that of the District Chairmen.
- 11- There are no provisions for payment of expenses to a District Sports Chairmen and Co-Chairmen for two events held on the same day. The Chairmen must choose the event that he will attend and any expenses by the Co-Chairmen are an expense to the District.
- 12- In the event that a District Sports Officer is unable to convene a District Tournament, the Deputy District Sports Officer may be empowered to act in his stead and have his expenses reimbursed by Ontario Command, provided prior approval of the District Commander has been obtained.
- 13- District standing committee chairmen will not be reimbursed expenses for their attendance at a banquet unless they are the guest speaker for the event in question and the invitation has been previously approved by Ontario Command.
- 14- The Expense Account Policy does not provide for the payment of expenses to a District Public Relations Chairmen to cover visits to the Branches, for the purpose of "Taking photographs or compiling information" for the Legion Magazine as this is a branch responsibility.
- 15- District H&A Chairmen, C&L and Resolution Chairmen are an expense to the District.
- 16- The delivery of convention reports to the convention site by a District Chairmen is an expense to the District or the individual in question.
- 17- The expenses of a Zone Chairmen are the expense of the Zone.
- 18- The expenses of a Committee Vice-Chairmen at District level are an expense to the District.

### **Guest Speakers For District Conventions**

- 1- Districts may submit an official invitation for a senior elected officer (The Provincial President, Immediate Past President, 1<sup>st</sup> Vice President, three Vice Presidents, Honorary Treasurer, Chairman and Vice Chairman) to be the main speaker at a district convention. The expenses of the senior elected officer are covered by command.

- 2- Invitations for a senior elected officer should be submitted on the command invitation form, as noted in the “Visitation” section of the officer’s manual.

### **Charitable Foundation And Bursary Committee**

- 1- As the Charitable Foundation is a separate entity, expenses may only be authorized by the Corporation and all expense claims are sent to the CF President for approval and his signature on the cheque.
- 2- Members of the CF sub-committee receive one day’s per diem and mileage cost to attend the sub-committee meeting in June and the full board receives 2 days per diem and mileage to attend the November meeting and full corporation meeting on the Saturday.
- 3- The Expense Account Policy will permit payment of expenses to the Board Directors of the Charitable Foundation when in attendance at district conventions and district council meetings only, for the purpose of presenting their reports and promoting the activities of the Foundation. CF Directors are not members of their District Council by virtue of their appointment to the Foundation and are not entitled to attend Zone conventions etc., without the prior approval of the Foundation. A District does not have the authority to incur expenses against the Foundation.
- 4- Members of the Bursary Committee receive one day’s per diem and mileage costs to attend the Bursary meeting at the command office in June.
- 5- The expenses of members of the Provincial Bursary Committee when carrying out the duties of their office are an expense to the Charitable Foundation (Bursary).

### **District Financial Advisors And Boards Of Management**

- 1- Once a District has made a request for a District Financial Advisor through the Command office and the District has received approval, the expenses incurred by the DFA will be covered by command. Out-of-pocket expenses shall be submitted on the Ontario Command Expense Form for reimbursement. If overnight accommodations are required receipts for same must be submitted. Mileage shall be paid at the command rate. Expenses are to be submitted to Ontario Command for payment through the District Commander.
- 2- The District Financial Advisors expenses to attend the District Conventions or Council meetings shall be covered by Command.
- 3- When the Provincial President has installed a Board of Management in a branch all expenses shall be covered by command. Out-of-pocket expenses shall be submitted on the Ontario Command Expense Form for reimbursement. If overnight accommodations are required receipts for same must be submitted. Mileage shall be paid at the command rate. Expenses are to be submitted directly to Ontario Command for payment, the District Commander needs not to approve expenditures.

## **Miscellaneous**

- 1- The reimbursement of expenses to Standing Committee Chairmen at District level (Poppy, Sports, Membership, Track and Field, Public Relations, Training and Organizational Development, Youth Education, Veterans Services/Senior Programs) will be underwritten by Command in the carrying out the duties of their offices as per the terms of reference for each committee. The expenses of all other committee personnel are an expense to the District.
- 2- It is not the responsibility of Provincial Committee Chairmen, past Zone/District Commanders, District representatives on Provincial Committees or Zone or District Officers to officiate at branch installation ceremonies, branch openings, honours and awards functions or to accept speaking engagements on behalf of the Zone or District Commander, etc. Expenses of this nature are an expense to the Zone or District.

## THE EMPLOYMENT STANDARDS ACT

The Employment Standards Act applies to employees and employers in the Province of Ontario. The Act defines and clarifies who is covered by the legislation, hours of work, minimum wage, statutory holidays, overtime pay, vacation pay, payments on termination, etc. The act sets minimum standards and these minimums may be exceeded by the courts in civil matters, if an employee sues for wrongful or constructive dismissal.

There is a wealth of information available to employers (and employees) on their responsibilities and rights. If you have questions about the Employment Standards Act, you may call the Ministry of Labour's Employment Standards Information Centre at 416-326-7160 or toll free at 1-800-531-5551. Information and publications can be found at the Employment Standards section of the Ministry of Labour's website, [www.labour.gov.on.ca](http://www.labour.gov.on.ca). This website contains fact sheets, the poster "What You Should Know About the Ontario Employment Standards Act", which outlines employees' and employers' rights and responsibilities and which must be posted in the workplace, etc. Another recommended website is the 'Ontario Workplace Gateway', [www.serviceontario.ca/workplacegateway](http://www.serviceontario.ca/workplacegateway).

### **Employment Standards Information Centre**

Ontario Ministry of Labour  
400 University Avenue, 14<sup>th</sup> Floor  
Toronto, Ontario M7A 1T7  
Tel: (416) 326-7160  
Canada Wide 1-800-531-5551  
Website: [www.labour.gov.on.ca](http://www.labour.gov.on.ca) (Employment Standards)

Ministry of Labour Health and Safety Contact Centre 1-877-202-0008

### **Notice on Termination**

Under most circumstances, an employer is required to give written notice of termination. There are exceptions and these include an employee who has worked less than three months, temporary layoffs of less than a certain number of weeks and termination for willful misconduct, disobedience or willful neglect of duty that was not condoned by the employer. The amount of notice required depends on how long the employee has been working for the employer as follows:

a)	Less than 3 months	-	no notice period
b)	More than 3 months, but less than 1 year	-	1 week
c)	More than 1 year , but less than 3 years	-	2 weeks
d)	More than 3 years, but less than 4 years	-	3 weeks
e)	More than 4 years, but less than 5 years	-	4 weeks
f)	More than 5 years, but less than 6 years	-	5 weeks
g)	More than 6 years, but less than 7 years	-	6 weeks
h)	More than 7 years, but less than 8 years	-	7 weeks
i)	More than 8 years	-	8 weeks

If the branch believes that an employee is not entitled to notice, the information should be confirmed through contacting the Employment Standards office.

When proper written notice is given, the employee must continue to work during the notice period and the employer must pay the employee his regular wages and any benefits that are normally paid. No “termination pay” is required when proper notice is given.

Where notice is required under the Employment Standards Act but is not given by the employer, “termination pay” or “pay in lieu of notice” must be paid and is equivalent to the pay and benefits that would have been paid, had the proper amount of notice been given.

Termination for cause, reductions of pay, change of duties, etc.

Branches are advised to obtain legal advice and guidance from a lawyer with expertise in labour related matters in advance of any actions which could result in claims of wrongful or constructive dismissal.

### **Other Sources of Information for the Branch**

#### **Payroll Source Deductions:**

Information on the requirements of an employer to deduct and remit source deductions of Canada Pension, Employment Insurance and Tax can be obtained through contacting Canada Revenue Agency (CRA), Source Deductions section. Where a branch has knowingly failed to remit source deductions and the branch is unable to pay, the officers of the branch can be held liable.

#### **Contacting CRA**

Web site: [www.cra-gc.ca](http://www.cra-gc.ca)

Forms and Publications	-	1-800-959-2221
Business Enquiries	-	1-800-959-5525
Local Tax offices	-	Barrie, Belleville, Hamilton, Kingston, Kitchener/Waterloo, London, Ottawa Peterborough, St. Catharines, Sudbury Thunder Bay, Toronto (4 locations) Windsor

\* see blue pages of local telephone directory

#### **Issuing a Record of Employment**

If an employee has an interruption of earnings, an employer is required to give that employee a Record of Employment (ROE) within 5 working days. An ROE must be issued when an employee has an interruption of earnings because of pregnancy, parental leave, injury, illness, termination, layoff or leave without pay. For more information, contact the local Human Resource Centre of Canada in your area. Information is also available on the following web site: [www.hrsdc.gc.ca](http://www.hrsdc.gc.ca). Click on the A-Z index, then on Record of Employment.

## **Other Agencies**

### **Ontario Human Rights Commission**

180 Dundas Street West, 8<sup>th</sup> floor

Toronto, Ontario, M7A 2R9

Telephone: (416) 314-4500

Web site: [www.ohrc.on.ca](http://www.ohrc.on.ca)

Human Rights Inquiries:

Local 416-326-9511

Toll free outside Toronto: 1-800-387-9080

Email: [info@ohrc.on.ca](mailto:info@ohrc.on.ca)

### **Occupational Health and Safety Inquiries**

For occupational health and safety-in person, mail and fax inquiries, contact the Ministry of Labour office closest to you.

Province-wide: 1-800-268-8013

Central Region: 416-314-5421 and 1-800-991-7454

Western Region: 905-577-9774 or 1-877-202-0008

[www.labour.gov.on.ca](http://www.labour.gov.on.ca) ( Health and Safety section)

### **Ontario's Workplace Safety and Insurance Board ( WSIB)**

Ground Floor – 200 Front Street West

Toronto, Ontario

M5V 3J1

General Inquiry: (416) 344-1000

Information Centre: (416) 344-4078

Toll free: 1-800-387-0750

[www.wsib.on.ca](http://www.wsib.on.ca)

### **Employer Health Tax**

Ontario Ministry of Revenue

33 King Street West, P.O. Box 620

Oshawa, ON. L1H 8E9

Toll Free: 1-866-668-8297

Web site information: [www.rev.gov.on.ca](http://www.rev.gov.on.ca)

## **Record of Employment (ROE)**

Generally, you have to give your employee a record of Employment (ROE) **within 5 days** of the date he or she stops working for you, although new rules may change this deadline if you file your ROE electronically. When the employee stops working for you, it is considered an interruption of service, and includes situations where employment ends or the employee leaves because of:

- pregnancy
- injury
- illness
- Adoption leave
- layoff
- leave without pay
- dismissal

The employee needs the ROE to file a claim for Employment Insurance (EI) benefits. It is used to determine if he is entitled to EI benefits, and for how long.

To create an ROE for your employee, you can use Service Canada's on line ROE –Web service, or complete Form INS2106, Record of Employment (ROE).

For more information on the ROE, and for instructions on how to complete Form INS2106 visit the Service Canada Web site.

### **NOTE:**

When completing the ROE you will have to determine the number of insurable hours. Also, there are consequences for not filing the ROE.

**We strongly suggest that you visit the Service Canada web site for further information.**

## **WHAT YOU SHOULD KNOW About the Ontario Employment Standards Act**

The Employment Standards Act, 2000, known as the ESA, is a law that sets minimum standards for workplaces in Ontario; you are probably protected by the ESA. It does not cover employees in federal jurisdiction and persons in a few other special categories. There are exceptions and special rules for some employees and not all employees qualify for all ESA rules.

### **Your Rights and Responsibilities at Work**

Employers cannot intimidate, fire, suspend or otherwise punish an employee, or threaten any of these actions because the employee asks for or asks about their ESA rights. If an employee thinks that an employer is not following the ESA law, he or she can contact the Ministry of Labour for help.

**NOTE:** Unionized employees should talk to their union representative before contacting the Ministry of Labour if they think their rights have been violated.

**Hours of Work** – Generally, employees cannot be forced to work more than:

- **Daily Limit:** 8 hours a day or the number of hours in a regular work day, if it's more than 8, Employees may work more than the daily limit if requirements for obtaining their written agreement are met.
- **Weekly limit:** 48 hours a week. Employees may work more than 48 hours per week if requirements for obtaining their written agreement are met and the employer has an approval from the Director of Employment Standards. (In certain cases and subject to restrictions, where an approval application has been pending for at least thirty days, employees may work a limited number of excess weekly hours.)

**Rest Periods** – Generally, employees must have at least:

- 11 consecutive hours off work each day
- 24 consecutive hours off work each week or 48 consecutive hours off work in every 2 week period

**Overtime pay** – Most employees must be paid overtime pay after 44 hours of work each week. The overtime rate must be at least 1 ½ times the regular rate of pay.

**Minimum Wage** – Most employees are entitled to be paid at least the minimum wage.

**MARCH 31, 2010 - \$ 10.25 per hour**

**Note:** The minimum wage is different for students, liquor servers, homeworkers, and hunting and fishing guides.

**Payday** – Employees must be paid on a regular, recurring payday and given a statement showing their wages and deductions for that pay period.

**Vacation Time and Pay** – Most employees earn at least 2 weeks of vacation time after every 12 months. Employees are entitled to be paid at least 4 per cent of their total wages earned as vacation pay.

**Public Holidays** - Ontario has nine public holidays every year (New Years Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, December 26). Most employees take these days off work, with public holiday pay.

**Leaves of Absence** – Eligible employees are entitled to these unpaid, job protected leaves:

- 17 weeks of pregnancy leave
- 35 or 37 weeks of parental leave
- 10 days each calendar year for personal emergency leave for personal illness or medical emergency, or for the death, illness, injury, medical emergency of or urgent matter concerning certain family members
- 8 weeks in a 26 week period of family medical leave to care for or support certain family members and people who consider the employee to be like a family member who have a serious illness with a significant risk of dying within a period of 26 weeks
- Declared emergency leave
- Reservist leave

**Termination Notice and Pay** – Generally if an employee has been working for 3 months or more and his or her job is terminated, the employer must give the employee advance written notice, or termination pay instead of notice, or a combination of both.

### **Contact the Ministry of Labour for More Information**

Call 416-326-7160, toll free 1-800-531-5551 or Hearing Impaired TTY 1-866-5678893

[www.labour.gov.on.ca](http://www.labour.gov.on.ca)

Employment Standards claim forms can be obtained by visiting a Service Ontario Centre, to locate a centre near you, call 1-800-267-8097.

## INCOME TAX ACT – NON - PROFIT ORGANIZATIONS

We are often asked about the status of Royal Canadian Legion branches. The Royal Canadian Legion is a non-profit organization. While some of our programs are charitable in nature, we are not a registered charity because we do not operate exclusively for charitable purposes and devote only part of our resources to charitable purposes. Many branches register their poppy funds as a registered charitable fund and may issue registered receipts for donations to the poppy fund but only the poppy fund, in this instance, would be considered as the registered charity and donations to the branch for general fund purposes would not permit the issuance of a tax deductible receipt.

The Income Tax Act provides exemption from income tax to non-profit clubs on a conditional basis. The conditions set out in Section 149(1)(1) are as follows:

1. The association must not, in the opinion of the Minister, be a charity as defined in subsection 149.1(1);
2. The organization must be organized and operated exclusively for social welfare, civic improvement, pleasure or recreation or for any purpose except profit;
3. No part of its income may be payable to or otherwise available for the personal benefit of any proprietor, member or shareholder, except in connection with the promotion of amateur athletics in Canada.

The Department has however noted that it is of the view that an association is not operated exclusively for non-profit purposes when its principal activity is the carrying on of a trade or a business as follows:

- a) It is a trade or business in the ordinary meaning, that is, it is operated in a normal commercial manner;
- b) Its goods or services are not restricted to members and their guests;
- c) It is operated on a profit basis rather than a cost recovery basis;
- d) It is operated in competition with taxable entities carrying on the same trade or business.

Section 10(2) of the Act to Incorporate is consistent with the requirements to maintain one's non profit status under the Income Tax Act. It specifies that, on the dissolution of any branch, the property of the branch shall not be distributed to or for the benefit of the members. Section 10 provides for all of the assets and accumulated income of a dissolved branch to be transferred to an organization with similar objects that qualifies for the exemption.

While an association may earn income in excess of its expenditures (provided that the requirements of the Income Tax Act are met), if a material part of the excess is accumulated each year and the balance of the accumulated excess is greater than the reasonable needs to carry on its non profit activities, the department could consider that the association operates for profit.

**Note #1:**

Non-Profit Organizations (Legions) are required to file an Annual Information Return (T1044) if they receive more than \$10,000.00 in dividends, interest, rentals or royalties in any given year, or, if they have assets with a book value of more than \$200,000.00.

Total assets are to be measured by generally accepted accounting principles which precludes writing down assets to a nominal amount and disclosure will include information on the activities of the organization and sources and amount of revenue and, further;

Will continue to file annually even if their revenues and assets are reduced significantly in any given year.

**Important:**

The responsibility for the filing of an Annual Return, rests with the officers of the Branch.

**Note #2**

The discussion above refers only to the exemption from income tax of non-profit organizations which meet the conditions outlined in section 149(1)(1) of the Income Tax Act. It does not exempt branches from collecting other forms of tax, such as HST, or from withholding or remitting employer and employee source deductions from pay and Employment Health Tax.

**Reference Material**

The Income Tax Act

Interpretation Bulletin #496R (see web site, forms and publications, technical publications –tax)

Interpretation Bulletin #83R3

Web site address - The bulletins listed above can be downloaded from the following web site: [www.cra-arc.gc.ca](http://www.cra-arc.gc.ca) by clicking on forms and publications, then document type, then interpretation bulletins..

## **LADIES' AUXILIARY**

The General By-Laws of the Ladies' Auxiliary to the Ontario Provincial Command is updated every two years following convention. All changes of auxiliary policy and administrative procedures resulting from resolutions passed or by-law amendments enacted by conventions shall, unless otherwise specified, take effect following the approval by Ontario Provincial Command, through the Provincial Constitution and Laws Committee. Since the Provincial Ladies' Auxiliary By-Laws are approved by Ontario Command and since there should be nothing in these By-Laws which are inconsistent with the General By-Laws of Ontario Command, Branches and Ladies' Auxiliaries to branches are expected to conform to the By-Laws.

### **Membership**

Membership is open to any woman of good character:

- i. who is eligible for Ordinary Membership in The Royal Canadian Legion;
- ii. who is the wife, widow, mother, sister, daughter, granddaughter, great-granddaughter, niece or great-niece (19 years of age and over), of any person eligible for Ordinary Membership in The Royal Canadian Legion;
- iii. who is the wife or daughter of an Associate Member.

However, membership is also open to women of good character who:

- (a) are not eligible; and
- (b) support the aims and objects of the Legion; and
- (c) undertake to support the activities of the Legion and especially the poppy campaign; and
- (d) are proposed and seconded by members in good standing shall be permitted to join a Ladies' Auxiliary to a branch of the Ontario Command with full voting privileges.

Applications for membership must be presented to the General Meeting for approval and the vote taken is by secret ballot.

### **The Executive Committee of a Ladies' Auxiliary (Branch level)**

- The term of office for elected officers and the executive committee shall be from June 1<sup>st</sup> to May 31<sup>st</sup> ;
- The officers of an Auxiliary shall be the President, Immediate Past President, Vice-Presidents with 3<sup>rd</sup> Vice being optional, Treasurer, Secretary (Recording and or/Corresponding);
- A member shall be required to serve one term on an auxiliary executive to be eligible to be elected President or Vice-President and shall be required to hold membership in an auxiliary for a period of one year to be eligible for election to the auxiliary executive;
- No salaried officer of the Ladies' Auxiliary shall be eligible to hold any elected office in the Ladies' Auxiliary;

- A member shall not hold more than one elected office at the same level and a member who holds more than one voting position at different levels shall cast only one vote;
- The General By-Laws of the Ladies' Auxiliary make no mention of citizenship requirements as a condition of membership or holding office and a member of the Ladies' Auxiliary may hold office in the Auxiliary regardless of citizenship;
- A branch may at its discretion allow Ladies' Auxiliary members employed by the branch to hold office in the Ladies' Auxiliary;
- The installation of officers shall take place prior to June 1<sup>st</sup>.

### **Dues/Per Capita Tax**

- The annual per capita tax on behalf of all current members shall be payable by January 31<sup>st</sup> of each year and shall be calculated on the previous year's paid-up membership as of December 31<sup>st</sup>;
- Payment of per capita tax to the Auxiliary Command must be accompanied by the official per capita tax form, duly completed and signed by the Secretary and President of the Auxiliary.

### **New Auxiliaries**

Prior to any action being taken with respect to the organization of new auxiliaries, it must be approved by a general meeting of the branch and an application to organize, forwarded to The Royal Canadian Legion, Ontario Command. The minimum requirement for the organization of a new auxiliary to a Branch is 20 members.

### **Auxiliary Meetings**

- Auxiliary branches shall hold at least ten General meetings a year, months to be determined by motion at a general meeting;
- A quorum for the purpose of holding a General meeting shall be a majority of the executive committee plus 5 % of the total members ( including Life Members) in good standing for the transaction of business;
- Nomination and election of officers and executive committee of the Ladies' Auxiliary Branches shall be held at the same meeting, at either the April or May general meeting.

### **Audit and Financial**

- The books of the Auxiliary branch shall be audited with a copy of the financial statement to be provided to the Legion branch;
- The financial year for the Ladies' Auxiliary shall be June 1<sup>st</sup> to May 31<sup>st</sup>.

## **Ritual and Awards**

- Applications for Meritorious Service and Palm Leaf awards shall be submitted in sextuplet (6). Completed applications shall be forwarded to the Provincial Secretary/Treasurer, Ladies' Auxiliary. (Copy to be retained on file);
- For outstanding Auxiliary and/or branch service, any member may be admitted into the Life Membership category after 15 years of continuous membership, prior to the date of nomination by the Auxiliary of which she is a member. The application must include a citation that is signed and dated and the date the award was approved by a general meeting. Two copies shall be submitted to the Provincial Secretary/Treasurer of the Ladies' Auxiliary;
- Past President and Past Officer medals and lapel Service badges may be ordered through the central supply system at Dominion Command. Orders may be placed with the supply department at Dominion Command as follows: 85 Aird Place, Ottawa, Ontario K2L OA1, Fax # 1-613-591-8462, Toll free – 1-888-301-2257, supply@legion.ca. Although, the application does not need to be sent to the supply department, 'application for awards in recognition of past service' must still be completed and approved by the ladies' auxiliary and retained for record purposes in the files of the Ladies' Auxiliary.
- A dual member (a lady who holds membership in both the L.A. and the branch) shall wear Auxiliary Dress (i.e. blazer with L.A. crest, tie and Auxiliary medals) when attending an Auxiliary function and shall wear Legion Dress (i.e. blazer with appropriate RCL membership crest, Legion tie and medals) when attending an RCL branch function. Medals awarded by the Ladies' Auxiliary may be worn on the Legion uniform on the right breast, after all Legion awards, as per the 1998 Dominion Convention. Legion medals may not be worn on the Ladies' Auxiliary uniform.
- At the funeral services of deceased Ladies' Auxiliary member, the beret will be placed on the casket by the President of the Ladies' Auxiliary to the branch or her representative.
- Poppies may be placed on the casket of a deceased member of the Ladies' Auxiliary only if she was a Veteran or ex-service personnel.
- Ladies' Auxiliary Officers will be required to salute following the laying of wreaths at War Memorials.

## **The Relationship of the Branch and the Ladies' Auxiliary**

- Each auxiliary shall be under the jurisdiction of the Legion branch, provided the Regulations of the branch are in accordance with the General By-Laws of The Royal Canadian Legion. Such jurisdiction, including requests for financial assistance made to the auxiliary shall be exercised by a General Meeting of the Legion branch. These requests must be in writing;

- The branch will appoint a Liaison officer who may at the discretion of the branch attend the Executive Committee, Special General and General meetings of the auxiliary. The Liaison Officer should attend the meeting as an observer and not engage in debate. The Liaison Officer is a communication link between the branch and the auxiliary and may update the L.A. on branch initiatives and reports back any issues of concern and information items to the Branch President and the Executive of the Branch;
- The Liaison Officer must be a member of the branch executive but should not be the Branch President (who cannot report to himself) and where possible is not an L.A. member (who might find herself in a conflict of interest position on various issues);
- The Liaison Officer exerts no authority or jurisdiction over the L.A.;
- Where a dispute (that cannot be resolved by agreement between the President of the branch and the President of the Ladies' Auxiliary) has arisen, a committee, composed of 3 members of the branch and 2 members of the Ladies' Auxiliary, shall be appointed to hear the evidence in the dispute and report the findings and recommendations to the branch executive committee;
- Any decision rendered by the Branch Executive Committee shall be subject to the approval of members of the branch, at the next general membership meeting of the branch and the Ladies' Auxiliary to a branch may file an appeal of the decision to Ontario Command;
- The Executive committee of a Branch and the Executive committee of its Ladies' Auxiliary are required by Section 1203 (1) of the General By-Laws of Ontario Command to hold a joint meeting **at least twice each year**. The intent of these meetings is to share information and resolve issues that affect either organization. The meeting should be thought out in advance with both parties offering agenda items and all members attending should be given the opportunity to express their concerns or issues;
- The Ladies' Auxiliary are an integral part of the Legion and should be accorded respect and courtesy in all dealings, including the privilege of parading their banner in Legion Colour parties;
- Branches should maintain a mail slot or other system for the receipt of mail directed to the Ladies' Auxiliary to ensure the L.A. receives its mail in a timely fashion. The mail directed to the Ladies' Auxiliary should not be opened by the branch;
- When a branch charter is surrendered, suspended, cancelled or revoked, the charter of its Ladies' Auxiliary shall be simultaneously surrendered, suspended, cancelled or revoked.

### Lottery

- All funds derived from bingos, draws, break-open ticket, etc., under licenses issued to a Ladies' Auxiliary to a branch shall be deposited in a separate lottery account(s) and **are not available to the branch for any purpose**.

### Miscellaneous

- Auxiliary branch presidents must have permission from the general membership of the Ladies' Auxiliary to request the presence of Provincial officers or Zone Commanders for social functions, elections and installation of officers (expenses to be paid by the auxiliary);

- The Ladies' Auxiliary, Provincial Command may request the surrender of the Charter of a Ladies' Auxiliary when the auxiliary fails to maintain sufficient membership to fill the officer positions and to establish a quorum. Members may transfer to another auxiliary and Life members may transfer to The Command auxiliary in these circumstances see the current edition of the General By-Laws of the Ladies' Auxiliary to Ontario Provincial Command;
- Upon amalgamation of two branches and two auxiliaries the amalgamated branch and auxiliary may apply for new Charters, with the original Charter date being the date of the oldest Branch and the oldest Auxiliary respectively.

## LIQUOR LICENCE REGULATIONS

The best and most up-to-date information on liquor licensing and registration can be obtained through contact with the Alcohol and Gaming Commission of Ontario as follows:

Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue, Suite 200  
Toronto, Ontario M2N OA4  
Tel: 416 326-8700  
Toll free in Ontario: 1 800 522-2876  
Fax: 416 326-5555  
Website: [www.agco.on.ca](http://www.agco.on.ca)

**Failure to remit sales tax or gaming violations can result in the loss of a branch's liquor licence.** The AGCO is required to propose to revoke a liquor licence or refuse to renew or transfer a liquor license for non-payment of HST. When the AGCO receives an application, the information is transmitted electronically to the Ministry of Finance. If the applicant is behind in HST payments, the Ministry of Finance will notify the applicant of the situation and advise the licensee that they are responsible for clearing any outstanding HST amounts prior to a licence being issued. At the same time the AGCO is notified electronically.

### **Types of licences issued by the AGCO-LIQUOR**

The AGCO issues a number of types of licenses, including the following which are applicable to Legion branches:

1. The Liquor Sales Licence: All licensed establishments-such as bars, restaurants, clubs and taverns-are licenced under this single class of licence. The holder of a Sales Licence may sell and serve liquor in a licensed establishment where light meals\* are available. When a Sales Licence is combined with an endorsement, the licence holder may sell and serve alcohol under specific circumstances.

\*Approved light meals usually, but not always, include five main selections with at least four snack or side dishes. The menu must offer a selection that will allow a reasonable variety of meals, either as single orders or by combining orders; for example, sandwiches with soup and/or salad.

2. Special Occasion Permits

### **Applications for a liquor sales licence**

To get a Liquor Sales Licence you must make application. The completed application form must be mailed or delivered to:

Alcohol & Gaming Commission of Ontario  
Licensing and Registration  
90 Sheppard Avenue East, Suite 200  
Toronto, Ontario  
M2N OA4  
416 326-8700  
1 800 522-2876

[www.agco.on.ca](http://www.agco.on.ca) – Application forms and guides are available on-line

Email: [licensing@agco.on.ca](mailto:licensing@agco.on.ca)

### **Renewal of a Liquor Sales License**

Licensees no longer have 3 months after the date on which the licence expires to renew the liquor licence. A renewal and reminder form will be mailed to the licensee 60 days prior to the expiration date. The licensee must return the completed renewal application, and all other documentation and form with the licensing fee, payable to the Minister of Finance prior to the expiry date. The liquor license is not renewed if money is owing to the Ministry of Finance (HST). The licensee is responsible for contacting the Ministry of Finance (1-800-263-7965) to determine any amounts owed and to make arrangements to pay the outstanding amount.

If the application and fee is received prior to the expiry date, the licensee will be issued a confirmation notice. If the application is not received by the expiry date, the licence will expire and the licensee may not continue to sell or serve alcohol. A licensee may apply to be reinstated and must contact the AGCO Customer Service Department at 1-800-522-2876 or 416-326-8700 to proceed. The renewal application is sent to the same address as noted above for initial applications.

### **Fees for getting liquor licences**

The fee for a new Liquor Sales Licence is \$1,055, where the application must be advertised, and \$925 for an application exempt from the advertising requirement. A new licence is normally valid for 2 years.

As well, most applications for a new liquor licence must be advertised to the public. The advertising fee can range from \$ 460 to \$1,000, depending on the rates charged by the local newspaper.

The renewal fee is \$450 and is valid for 3 years. The cost to reinstate a licence that has expired is \$925 and the licence is only valid for a further 2 years.

To transfer an existing licence, the fee is \$1,000. There is no advertising fee.

All fees must be received by the AGCO before an application can be processed. If an application is withdrawn or if the Commission refuses to issue the licence for any reason, the application fee will not be returned.

### **Renovating or Changing Licensed Establishments**

Licensees with valid liquor sales licenses may apply to the AGCO for additional licensed areas and/or building alterations to an existing license. You can make the following changes to a licensed establishment without AGCO approval:

- Change to the décor.
- Installation or relocation of doors.
- Creation of openings to existing walls/partitions that separate the licensed and unlicensed area, providing after the change, the partition and/or wall is 36"/.9M or higher.
- Changes that do not reduce the separation between the licensed and unlicensed areas to below 36"/.9M high.
- Removal of wall openings, arches, etc., to combine two or more areas into one.
- Installation or removal of windows.
- Installation or removal of weather breaks, buffets, or server stations.

For all other alternations, such as adding licensed areas or increasing seating capacity in existing licensed area, an official application must be submitted to the AGCO for approval and may involve additional licensing fees.

### **Transferring a Liquor Licence**

All liquor sales licences are issued to either a person, a business partnership or a corporation, for operation at a specific location. It is the owner as registered with the AGCO who is responsible for the on-going operation of the licence.

Ownership changes (more commonly referred to as a licence transfer) must be approved by the AGCO. An application must be submitted for approval BEFORE the change is made. Licence transfers fall into two general categories:

1. A 100% change in ownership from that currently registered with the AGCO; or
2. A partial change in ownership from that currently registered with the AGCO.

### **Moving liquor to a new location**

Application must be made for a new liquor license at a new location. The liquor purchased from your existing premise has been purchased under your current license, and taking the liquor a new location is not allowed. Well before you move your location you should check with your local LCBO store to advise how to change your existing purchases to a new license.

## **Special Occasion Permits**

A special occasion permit (SOP) is required to sell liquor at special occasions such as weddings, charity fundraisers and receptions. A special occasion permit will only be issued if the event is not intended to be held for gain or profit. Special occasion permits are issued from Liquor Control Board of Ontario stores.

A special occasion permit may be issued for an event at a licensed establishment. The applicant and the event need to meet the established criteria, the liquor used for the event has to be purchased under the authority of the SOP and not from the licence holder, and the conditions applied to the licence of the particular establishment would continue to apply under the SOP.

The holder of a Liquor Sales Licence may apply for an SOP for such events as staff parties, family parties and private receptions, provided the event is not advertised to the general public, limited to invited guests and there is no intention to gain or profit from the events.

For more information on SOPs, check the AGCO website, listed above.

## **Warning Regarding Consumption of Alcohol during Pregnancy (Mandatory Signage Requirement Effective February 1, 2005 – Sandy’s Law)**

As of February 2005, the Liquor Licence Act requires bars and restaurants to post signs warning women that drinking alcohol during pregnancy can cause Fetal Alcohol Spectrum Disorder. The warning must be posted at least 8 by 10 inches in size, to be printed in landscape format (horizontally). It must be prominently displayed in all locations where beverage alcohol is sold. Failure to comply with the signage requirements is an offence under the Liquor Licence Act. The sign can be downloaded from the following site: [www.agco.on.ca/en/b.alcohol/warningsign](http://www.agco.on.ca/en/b.alcohol/warningsign).

## **Server Training**

The Smart Serve Training Program is **mandatory** for the following individuals:

- New liquor sales license holders, including new licence applicants, licence transfer applicants and temporary transfer applicants intending to operate establishment. In addition to licence holders, all managers, servers of beverage alcohol and security staff must hold Smart Serve certificates.
- Stadium licensees, their manager, servers and security staff;
- Course marshals and employees dispensing liquor from vending carts on golf courses that hold a Golf Course Endorsement;
- Holders of caterer’s Endorsements and servers working at catered events; and
- Where ordered by the board (i.e. disciplinary cases).

The AGCO still recognizes the Server Intervention Program certification issued prior to May 1995. The Smart Serve Training Program is available on video or on the Smart Serve website at [www.smartserve.org/home.asp](http://www.smartserve.org/home.asp). For more details about the Smart Serve Training Program, please contact:

Smart Serve Ontario  
5405 Eglinton Avenue West, Unit 106  
Toronto, Ontario M9C 5K6  
Tel: 416 695-8737  
Toll Free: 1 877 620-6082  
Fax: 416 695-0684  
Website: [www.smartserve.org/home.asp](http://www.smartserve.org/home.asp)  
Email: [general@smartserve.ca](mailto:general@smartserve.ca)

### **Hours of Service**

Liquor may be sold and served during the following hours:

#### **Licensed establishments:**

Monday to Sunday: 11 a.m. to 2 a.m.

New Year's Eve (December 31): 11 a.m. to 3 a.m.

#### **Special Occasion Permit events:**

Monday to Saturday: 11 a.m. to 1 a.m.

Sunday: 12 noon to 1 a.m.

New Year's Eve (December 31): 11 a.m. to 2 a.m.

The licensee or permit holder may choose shorter hours of operation and restricted hours of sale and service may be established as a condition of the licence.

Serving hours remain the same on federal, provincial and municipal election days.

### **Legal Drinking Age and Legal Serving Age**

The legal age to drink alcohol is 19 years old. The legal age to serve alcohol in a licenced establishment is 18 years old. "Serving alcohol" includes taking drink orders, taking payment for alcoholic beverages, stocking the refrigerator or bar area, and bartending.

Acceptable forms of age identification are:

- Ontario driver's licence with photo to whom the licence was issued;
- Canadian passport with a photo;
- Canadian Citizenship card with a photo of the person to whom the card was issued;
- Canadian Armed Forces Identification Card with a photo;
- Liquor Control Board of Ontario BYID photo card,
- A Secure Indian Status Card issued by the Government of Canada,
- A Permanent Residence Card issued by the Government of Canada,
- A photo Card issued under the Photo Card Act, 2008

## Advertising

The Liquor Licence Act states that no person shall advertise liquor except in accordance with the regulations enacted pursuant to the Act. The holder of a licence may advertise only if the advertising:

- Is consistent with the principle of depicting responsibility in use or service of liquor;
- Promotes a general brand or type of liquor and not the consumption of liquor in general;
- Does not imply that consumption of liquor enhances social, professional or personal success, athletic prowess, sexual prowess, opportunity or appeal, enjoyment of any activity, fulfillment of any goal or resolution of problems;
- Does not appeal directly or indirectly to persons under the legal drinking age;
- Does not associate consumption of liquor with driving a motorized vehicle or with any activity that requires care and skill or has elements of danger;
- Does not depict motorized vehicles in motion in advertising showing the consumption of liquor, unless the vehicle is in the form of public transportation;

## Price Discounting

A licensed establishment may not offer liquor free of charge or at discounted prices.

Licenses may temporarily raise liquor prices once each operating day. Once increased, the price must remain set until the end of the day and return to its original price at the beginning of the next day. A notice specifying the time and amount of the price increase must be posted in a location visible to customers. The price list must remain in effect for at least 30 days.

**Responsible drink price flexibility is permitted.** A licensee may vary the purchase price of liquor as long as it remains above the minimum price, whether offered in combination with food or other goods or services, such as ‘wine with dinner’, ‘beer with wings’, or ‘a cocktail with a spa treatment’ of for a specified time. For example, a licensee may offer a different price for martinis on a certain day or a different price for domestic beers, house wine and bar shots during a certain period of a day as long as the cost of the liquor itself remains at or above the minimum price. It is important to remember that licenses are prohibited from requiring patrons to purchase liquor to enter or remain on the premises and are therefore required to offer other goods and services that do not require the purchase of alcohol.

**Drink prices may not be based on the purchase of other drinks.** A licensee is not permitted to offer a difference in the price of liquor which is contingent on another purchase of liquor or is offered at regular intervals. For example, promotions such as ‘2 for 1 drinks’, ‘2<sup>nd</sup> drink is ½ off’ or ‘every 3<sup>rd</sup> drink is \$2’ are prohibited under all circumstances.

## Ontario’s Liquor Laws at a Glance

As the holder of a Liquor Sales Licence or Special Occasion Permit, it is your responsibility to know and understand Ontario’s Liquor Laws..

### **Don't:**

- Let people under the age of 19 drink.
- Encourage excessive drinking or serve alcohol to anyone you suspect may already be intoxicated.
- Permit drunken, quarrelsome, violent or disorderly conduct.
- Permit anyone in a licensed establishment to hold, sell, distribute or use illegal drugs.
- Serve smuggled, home-made or watered down liquor.
- Allow guests to take out or bring in liquor.
- Raffle liquor or hold contests that involve buying, drinking or winning liquor.
- Discount the price of alcoholic beverages.
- Sell liquor from a vending machine.
- Allow noise from the premises to disturb the neighbors.

### **Do:**

- Make sure that you understand the *Liquor Licence Act and Regulations*.
- Encourage responsible drinking.
- Post your Liquor Sales Licence or Special Occasion Permit.
- Train your staff in responsible serving practices. Have all staff take the Smart Serve responsible service program.
- Serve alcohol only within the allowed hours.
- Serve and promote food and a variety of non – alcoholic drinks.
- Sell only liquor that was brought on your licence or permit through the Liquor Control Board of Ontario (LCBO), Brewers Retail, or Ontario Wine Stores.
- Make sure that the number of people on the premises is within the lawful capacity.
- Ensure that the premises comply with all zoning By-Laws.
- Check the identification of people you suspect are under 19 years of age.
- Ensure that employees serving liquor are at least 18 years of age.
- Create and enforce house policies that promote responsible serving and moderate drinking practices.

### **House Policies**

Branches are encouraged to formulate their own policies on how they wish to run their licensed establishment. In order for such policies to be officially accepted you must do the following: (1) prepare the policy, (2) have it approved at a General Meeting, (3) attach a copy of the approved policy to the Minutes of that meeting and (4) send it to the LLBO for their comments, approval and records.

### **Suggestions For Areas That Should Be Covered In The Policy**

1. Restrict access to allow only Members, Affiliate Voting and Non – Voting Members and Ladies' Auxiliary and their signed in guests.
2. State a policy under which you would allow minors into your Branch and the restrictions on where they may go within the Branch and any time restrictions you may wish to apply.
3. Draw up a Hall Rental agreement which not only includes cost, but also includes policies, making particular mention of underage drinking, the monitoring that you are doing, and let them know that the person who signs the permit will be held responsible for any infractions. This may not stand up in court, but it may make the renter more vigilant.
4. Provide a policy that gives bartenders authority to refuse to serve a person suspected of being intoxicated, or cutting them off. Also provide for imposing penalties on anyone who supplies drinks to someone who has been refused to be served. There should be a visible sign at the bar to this effect (with the bartender's authority on it).
5. Provide for closing down the bar if there is a major disruption or incident, including the right to call police. Act at once to prevent the situation from getting out of control, but never use force. Bar to be closed until the situation is returned to normal.
6. The mandatory training course must form part of the policy and must also be part of any contract that you may have for employing bartenders. It should cover who should pay for the course and whether the Branch will pay wages during the training period.

**Maintain an incident log book.** Make it mandatory to be filled in by each shift and to be signed by the bar tender on duty. All incidents are to be reported on anything that might need to be clarified at a later date, such as having to refuse someone a drink, or having to cut someone off. Weather conditions should always be shown. Impress on the bar tenders that this is for their own protection. **For those that are insured by PIB Insurance, logs books are available free of charge, by contacting your local representative. We strongly recommend that you have them on hand and use them on a daily basis.**

## LOTTERY

### **Quick Facts About Lotteries That You Should Know:**

1. The Alcohol and Gaming Commission (AGCO) is responsible for licensing any lottery events in excess of \$ 50,000.00.
2. Municipalities are responsible for licensing any lottery event under \$ 50,000.00. There are exceptions when a municipality does not have a licensing officer, or where the branch is located in an organized area with no municipal government or a Canadian Forces Base, the applicant would then have to apply to the AGCO for the licence.
3. The definition of a Lottery Scheme – is defined as any scheme which has the following three components: a prize, a chance to win a prize and a consideration for a fee. If all of the foregoing conditions apply a licence is required. It is the responsibility of applicant to complete the necessary paper work to obtain a licence.
4. Each licensee (the branch being the licensee) is responsible to ensure that all Terms and Conditions are followed when conducting any licensed event.
5. Break Open Tickets (BOT's) may be sold in conjunction with another gaming event (i.e. bingo) providing the licence is obtained from the AGCO.
6. **Branches are not eligible for any funds derived from lottery events conducted by the Ladies' Auxiliary.**
7. Once a lottery has begun, it must continue and cannot be stopped mid-stream.
8. Each licensee must guarantee the prizes of any lottery.
9. Each licensee is responsible to ensure all prizes are presented and must notify the winners in a timely manner.
10. All proceeds derived from lotteries must be kept in a lottery trust account and must be in Canadian Funds with the exception of a Bingo Sponsor's Association.
11. A licensee must never exceed the allowable expenses allowed under any licence. Review the Terms of Conditions of the licensed event. In the case of BOT's, refer to the Schedule of Approved Break Open Ticket Types and associated Expense maximums on the AGCO's website.
12. It is the responsibility of all licence holders to complete the necessary report for each lottery held within the prescribed time period by the licensing authority and terms and Conditions of the event.

13. Branches may use lottery funds for building purposes, if approved by the licensing authority as per the process outlined later in this section.
14. Branches may apply to the licensing authority to use more than 2 % of their lottery proceeds.
15. Branches may apply to the licensing authority for a Blanket licence. A Ladies' Auxiliary may also apply for a Blanket licence, **but cannot use the Branch's licence.**
16. Additional Lottery information may be obtained on the AGCO website as follows:  
[www.agco.on.ca](http://www.agco.on.ca).
17. Branches that run illegal/unlicensed gaming activities risk having both the LIQUOR and LOTTERY Licences of the branch revoked. (Liquor Act and Gaming Act)
18. Any person who signs a licence application or is involved in the conduct of a licensed event must not participate in that event. For example, if you sign a licence for a raffle you cannot purchase tickets. Further, if you have knowledge of the Break Open Tickets that are sold you cannot purchase tickets. Bartenders must not purchase BOT's as they would have knowledge of the tickets that have been sold.
19. Licenses for Break Open Tickets cannot exceed five years. Licensing Authorities have the authority to determine the length of a licence and may extend the licence up to a maximum of five years.
20. The AGCO has given permission for both the Branches and Ladies' Auxiliary to donate lottery proceeds to the Charitable Foundation and the Bursary program on the basis that these programs are available to a wide community beyond our membership. Further information is available from the command office, if required.
21. The use of dice is prohibited.
22. A branch may apply for the use of '**more than 2% of lottery proceeds**' for general upkeep and maintenance, providing it can show substantial use of the branch facilities (hall and meeting rooms) by organizations in the community FREE OF CHARGE. The application can be made directly to the licensing authority and the licensing authority must formally approve the use of more than 2% based on the extent of community use of the facility. The approval of Ontario Command is not required.

### **Proceeds And Expenses**

- The net proceeds derived from the sale of Break Open Tickets (BOT's) are the gross proceeds less all reasonable costs actually expended, including purchase of tickets, ticket dispensers, ledgers, bank charges, postage, honorariums, commissions, etc. Receipts must be kept for any expenses claimed.

- Total administrative expenses, including all taxes, exclusive of the license fee, for licensees selling tickets from their own premises cannot exceed the amount allowed per the Terms and Conditions.
- Special rules apply to licensees selling tickets in conjunction with a bingo event. In addition to the administrative expenses, the branch may be able to claim an additional amount where payment is made to a bingo hall operator under certain conditions. Please check the Terms and Conditions of the license for this.

### Use Of Funds

- Funds may only be used in accordance with the license issued or special approvals given by the licensing authority. If you are applying to the licensing authority for special permission to use lottery funds be sure to get the answer in writing. Without this happening there is no paper trail if the branch is audited.
- Organizations must provide the licensing authority with a specific and detailed list of the purposes for which the funds will be used, including the names, addresses, etc., of the charities and community groups utilizing the facilities free of charge. General terms such as for ‘community betterment’ or ‘service club charities’ are not acceptable.
- Lottery funds may be used for the following:
  1. Relief of poverty – specify.
  2. The advancement of education through bursaries and scholarships. The fund must be registered with Revenue Canada (CCRA).
  3. Charitable purposes beneficial to the community, such as community projects, recreational or public facilities, youth programs where a majority of the participants are under 18 years of age.
  4. The Royal Canadian Legion Charitable Foundation and Bursary Fund.
- Lottery funds may also be used under the AGCO’s ‘Building Fund Policy’, described later in this section. This policy requires both the approval of Ontario Command and the licensing authorities and the renovations and construction are restricted to the part of the branch which is made available free of charge to the community. **Lottery funds may not be used for the clubroom.**
- Branches may use up to 2% of the net proceeds of a lottery event for maintenance of the branch if the premises are a benefit to the community. Under special circumstances the branch may apply for the use of ‘More than 2%’ of the proceeds. An application must be made to the licensing authority and the percentage determined is based on the degree of the community’s use of the branch, **free of charge. Please note that Branches may not claim the “free of charge use” then turn around and ask the charity using the facilities for a donation.**

### Non – Use Of Proceeds

No part of the proceeds derived from the conduct of a Break Open Ticket Lottery shall be applied to the premises to which the sale of the Break Open Tickets is authorized unless the use of the proceeds for such purposes shall enhance the ability of the licensee to perform services of public good and welfare, and written permission is obtained from the licensing authority.

Rent or user fees may not be expensed for administration purposes or general branch expenses on present facilities, e.g., routine maintenance of the club premises including heat, hydro, mortgage, taxes, salaries etc.

**Proceeds may not be used for:**

- Attendance at seminars, workshops, conventions, etc.
- Any program that is membership oriented, professional development, upgrading or training courses or for charitable projects where the benefit accrues to persons outside of Ontario.
- Any endeavour where volunteers have any interest in the funds raised, either directly or indirectly.
- Individual sports teams, where a majority of participants are 18 or over.
- Bursaries/Scholarships for a narrowly focused group, such as children and grandchildren of members only.
- Donations to a charity or other organization which will in turn present a cheque of a near or equal amount to the branch in lieu of a hall rental – cheque must be deposited to the lottery account. Branches may not create a paper trail to circumvent the legislation.
- Donations to Seniors Groups (in house activities) e.g., subsidized bus trips, etc.
- Indirect expenses, e.g., salaries and administration.
- Adult recreation programs.

**Banking And Financial**

The licensee shall have the option of:

- (1) Opening and maintaining one designated lottery trust account to administer all lotteries conducted by the licensee; or
- (2) Opening and maintaining separate designated lottery trust accounts for each type of lottery conducted by the licensee.

Where only one designated lottery trust account is maintained, the licensee shall maintain ledgers outlining financial details of each lottery event conducted, including proceeds derived from each, expenses paid in the conduct of the event, and a list of how the proceeds have been distributed.

The following principles will apply to the management of the trust account (s):

- (1) They shall be held in the name of the licensee in trust;
- (2) There shall be cheque writing privileges and monthly statements;
- (3) All cancelled cheques must be returned (retained on file) with the monthly statement;
- (4) If it is not possible to obtain the cancelled cheques, electronic copies from the financial institution are acceptable;

- (5) All monies derived from the operation of any and all lottery accounts will be deposited into the applicable trust account;
- (6) Two signing officers who are bona fide members of the licensed organization are required to administer the trust account and write cheques;
- (7) There can be no transfer of monies from the designated lottery trust account (s) into an operating or general account;
- (8) All withdrawals or payments from the designated lottery account shall be made by cheque, for payment of expenses incurred in the operation of the lottery or for the distribution of net proceeds for the stated charitable purposes, less the amount awarded in cash prizes;
- (9) Cash withdrawals are not permitted;
- (10) Cheques cannot be made payable to cash, except for a float for the purpose of making change;
- (11) Any interest accrued on the lottery account(s) shall be used for the charitable purposes of the licence.
- (12) Trust accounts cannot be closed until all monies have been donated to the charitable objects approved in the application for the license and a report has been submitted to the licensing authority;
- (13) The licensee shall maintain books, records and other documents in support of all financial reports or statements. These records and documents shall be kept up to date and be retained for no less than four (4) years.

**NOTE:** Cash may be used for the payment of honorariums provided that the payments are supported by a receipt.

### **Books And Records**

Books and records means documents outlining financial details of the lottery events and includes, but is not limited to, ledgers, sub – ledgers, cheque books, cheque stubs, receipts, invoices and control sheets (for audit purposes).

- (1) Invoices shall be obtained for all tickets purchased and retained for a period of no less than four years
- (2) The licensee shall obtain receipts for each expense incurred. A copy of these receipts shall be submitted with the financial report.
- (3) The licensee shall maintain a detailed record of all charitable donations made.

- (4) The licensee shall maintain such books, records and working papers as may be necessary to substantiate particulars of any financial report or statement. These records shall be maintained for a period of no less than (4) four years from the expiry date of the licence.
- (5) Such officers as the Minister and Municipal Council may appoint, and all peace officers shall, at all reasonable times, have direct and unencumbered access to inquire into the nature, management and conduct of the event for which the licence has been granted, either prior to, during or after the event.
- (6) With the exception of the one dollar (\$1.00) winning break open tickets, all winning tickets shall be kept for a period of ninety (90) days from the of the filing of the last lottery report with the licensing authority.

**THE ROYAL CANADIAN LEGION, ONTARIO PROVINCIAL COMMAND  
PROCEDURES FOR USE OF LOTTERY FUNDS FOR BRANCH CONSTRUCTION  
AND/OR RENOVATION, AS PER THE 'BUILDING FUND POLICY'**

**ONTARIO COMMAND BRANCH CONSTRUCTION POLICY**

**Each branch must comply with the procedures set out by Ontario Command, respecting Branch Construction. These procedures are as follows:**

- Prior to property being purchased or the services of an architect or consultant being engaged, a motion which has been presented to a previous meeting by way of notice and mailed to each member, shall include:
  - (a) the proposed purchase price of the property, as applicable;
  - (b) the estimated cost of the new building or renovation in accordance with the ability of the branch to pay;
  - (c) the name and address of the architect and/or consultant to be engaged.
- A branch is not authorized to expend any funds with respect to its program either by way of purchase of property or the hiring of an architect and/or consultant until this motion has been approved.
- Following approval of the above motion, the branch will engage the services of an architect and/or consultant and obtain a price for the drawing of plans in accordance with the funds approved by a branch general meeting.
- When this estimate has been received, the branch will again proceed by way of notice of motion to a general meeting, such notice of motion to include the following details:

- (a) The names of the chairman and members of the Branch Building Committee;
  - (b) The total cost of the project in accordance with the information received;
  - (c) A statement of the assets of the branch as per the audited financial statement as of May 31st in the preceding fiscal year;
  - (d) The amount of mortgage required and relevant interest rate;
  - (e) A business plan.
- A copy of such notice of motion shall be mailed to each member in good standing, together with the date of the general meeting which will consider the notice of motion. A copy of each notice of motion, together with certified copies of the minutes of the general meeting rendering branch approval by a 2/3 majority, is to be forwarded to the Provincial Command.
  - All expenditures from the building fund in excess of \$ 10,000.00 during the course of the fiscal year must have written approval from Ontario Command prior to the commitment of the expenditure to the project. The branch must therefore submit to Ontario Command the following information for review :
    - a) A copy of the notice of motion, mailed to all members in good standing.
    - b) A certified copy (signed by the President and Secretary) of the minutes of the general meeting at which the notice was put forward.
    - c) A certified copy of the minutes of the general meeting at which the notice was approved by a simple majority (where no borrowing is required) or a 2/3 majority (where borrowing is required).
    - d) A copy of the audited financial statements for the past 2 years.
    - e) A business plan which details how the loan will be repaid if borrowing is involved.
    - f) A copy of all pertinent documentation (purchase/lease agreements, mortgage agreement, quotes for proposed construction/renovations, etc.)
    - g) The name and address of the branch lawyer involved in the transaction (required for sale/purchase of property associated with branch construction).
  - **A copy of Ontario Command's approval must be submitted to the licensing authority.**

**Approval Process for the Actual Use of Lottery Funds for the Building Project:**

Prior to using any lottery proceeds for any type of "Building Fund" written approval from the Licensing Authority (provincial or municipal) must be received. A questionnaire is available from the AGCO to assist in determining whether approval for a building fund will be granted. All approvals, provincial or municipal, will be based on a detailed package of **information supplied**

by the branch. As well, special terms and conditions will apply to the management and disbursement of the Building Fund monies.

Where the branch wishes to use lottery proceeds for the renovation or construction of any building, the following information must be submitted for the review of the licensing authority:

- A budget of the propose project including an itemized description of all individual costs;
- The total cost to be incurred;
- A budget for the branch indicating all the expenses and all income for the appropriate fiscal year;
- Architectural plans (where applicable) especially for new facilities or extensive renovations;
- An explanation of how the use of lottery proceeds for the building fund will affect other community service commitments of the organization;
- An indication of who owns the building and how the assets would be disbursed in the case of dissolution of the organization;
- Copies of written estimates including labour and material coast for the project;
- Details of the main and normal uses of the proposed building or renovation project and an explanation of other uses of the facility;
- Availability of the building to the general public free of charge or an explanation of any restrictions that may apply;
- Examples of other funding that may be available for the project;
- An indication of how the project will enhance the organization's ability to provide community service.

The policy will permit a branch to accumulate/earmark a percentage of the lottery proceeds for future renovations/new building project (capital expenditure) subject to the forgoing conditions,

Not all of these criteria will be relevant in all cases. The decision will be based on whether the building/facility will be of benefit to the community or for a charitable or religious group and what happens to the proceeds if the building/facility is sold.

The use of lottery proceeds for routine maintenance and upkeep will not be authorized beyond the provisions of the AGCO Policy Manual 2.7.3 (c) Use of Funds, unless prior approval has been received from the licensing authority for the use of more than 2% of lottery proceeds.

In general, permission may be granted to use proceeds from any type of license lottery event. Approvals will be based on a specific dollar figure, as opposed to a percentage of the net profits, and will be amortized over a limited time frame. The dollar figure will be set by the licensing authority and will be based on the information provided in the application.

## USE OF LOTTERY PROCEEDS - BUILDING FUNDS

### Eligibility Criteria

The Criminal Code of Canada, Section 207 (1) (b), allows for charitable and religious organizations to be licensed to conduct lottery events provided that all funds raised are used for charitable and religious objects and purposes. Funds raised from lottery events may be used only for the purposes where public charitable benefit can be established. Approval may be granted to a branch of The Royal Canadian Legion to use a portion of funds raised from lottery events for the capital cost of construction, repair or leasehold improvement of its branch building provided the following can be shown:

- 1) The building provides a public charitable benefit to the community, in that it is available **FREE OF CHARGE** to other organizations within the community.
- 2) The branch must own or lease the building in which an application for renovations is being applied. Construction of new buildings and renovations to existing buildings must comply with the procedures set out by Ontario Command.
- 3) Approval must be obtained from the licensing authority prior to using funds for this purpose. Approvals will be based on a detailed package of information supplied by the branches and will be based upon need and the extent that the building is used by the community.
- 4) Special terms and conditions will apply to maintaining this fund.

### Approval Process

Prior to using lottery proceeds for renovations or for the construction of new buildings, Branches must comply with the procedures as set out by Ontario Provincial Command of The Royal Canadian Legion.

NOTE: Where this procedure is not complied with, the matter shall be referred to the Administrative Committee of the Ontario Provincial Command for any action it may deem necessary and this could include the suspension of the Branch Charter or the Branch Officers.

Where an application for lottery licensing indicates that funds are to be used for building fund purposes, the following must be submitted with the application for licence:

- 1) An explanation of the type of capital expenditure, and the amount of net lottery proceeds that will be used up to a maximum of 50%;
- 2) Each application, where proceeds are to be used for building fund purposes, must be accompanied by a letter from the Ontario Provincial Command indicating the type of expenditure authorized as well the amount of net lottery

proceeds to be used up to a maximum of 50% of the net proceeds. The Ontario Provincial Command may request documents to support building fund proposals and shall make these documents available to the licensing authority upon request;

- 3) Where building fund proceeds are to be used for renovations or new buildings, the branch must submit the documents outlined in Section 4.4.7 of the Lottery Licensing Policy Manual to the licensing authority. Copies of this section are available from Ontario Command;
- 4) The licensing authority will not approve any building fund request unless the above criteria is met.

### **Use Of Proceeds**

Once the approval process has been completed and approval granted for the use of lottery proceeds for a building fund, individual Branches of The Royal Canadian Legion are permitted to use up to 50% of lottery proceeds for the following 'building fund' purposes:

- Mortgage payments, including principal and interest, for existing building and/or renovations in progress
- Building repairs
- Painting and decorating (interior and exterior)
- Replacements of a capital nature
- Municipal Taxes
- Heating and Hydro
- Liability insurance on the building

This process is not intended to supersede any approvals/commitments which were in place prior to this change and will take effect once existing approvals expire.

### **Disposal Of Property**

Any property acquired or renovated through a building fund composed of lottery proceeds may not be sold or mortgaged without the prior approval of the licensing authority.

A document outlining the value of the lottery proceeds applied to the building fund must be made available for review at all times.

Upon the sale of the property, the value of lottery funds contributed to the building fund must be recovered from the sale price and be directed to other charitable organizations in the community.

The branch may reduce the amount of the money the branch could have made on an annual basis by renting the facility instead of providing it free of charge (foregone revenue). Please note that if the sale occurs after the obligation has been reduced to zero, the branch does not have to distribute any funds from the sale of the property to charitable organizations in the community.

## POLICY

Use of up to 50% of lottery proceeds buildings for building fund purposes

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2% of net proceeds for building upkeep and maintenance

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Use of more than 2% of net proceeds for building upkeep and maintenance (formerly known as the community centre concept)

## INTERPRETATION

Applies to Royal Canadian Legion Branch which can demonstrate they are used by the community free of charge.

Applies to new renovation projects and new buildings – it is not retroactive.

Must receive Provincial Command approval for all projects/buildings which exceed \$ 10,000.00 in a fiscal year

All other policies in the Policy Manual of the AGCO shall apply.

Projects related to the member's lounge are not eligible.

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Applies to service clubs including Legions provided building is used by the community.

2% of net lottery proceeds may be used for general upkeep and maintenance of premises.

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Where the branch can demonstrate that its facilities are used extensively free of charge by community, then approval may be granted for lottery proceeds to be used for general upkeep and maintenance.

Approval by the Licensing Authority is required and approval from Ontario Command is not needed.

The percentage of the lottery funds which may be used for this purpose should be based on the percentage of time that the building is used by the community free of charge versus membership use.

This applies to Legion Branches which provide substantial community use of their facilities.

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Rental Fee for Break Open Tickets

The terms and conditions of the Break Open Ticket licence authorizes a rental fee to be taken from the gross receipts.

Branches may charge themselves a ‘rental fee’ within this maximum providing the branch does not exceed the total expense maximum as outlined in the AGCO’s Schedule of Break Open Ticket Types and Associated Expense maximums.

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All applicants for lottery events including Bingo, Raffles, which includes (Calendar Draws, 50/50 draws, Elimination Draws, Sports Raffles, etc.), Bazaars, and Break Open Tickets will receive the Terms and Conditions of the Lottery Event on approval of the licence. Branches are cautioned to read and follow these Terms and Conditions carefully. Should a conflict exist, the Terms and Conditions of the licenced lottery will supersede anything in this manual.

### **Blanket Licence Raffles**

The AGCO will now permit municipal licensing authorities to issue blanket raffle licenses. A blanket raffle licence will allow eligible organizations to obtain one lottery licence to conduct and manage more than one type of raffle event within a fixed time period and within a capped prize amount. Please note that a Ladies’ Auxiliary must get a separate blanket licence and cannot use the same one issued to the Branch.

The previous policy of the AGCO required, Branches to obtain a separate licence for each gaming event. The intent of the blanket raffle licence is to allow licensees to conduct and manage a number of minor raffle events with small prize boards under one blanket licence. The blanket raffle licence cannot be used to sell break open tickets.

### **Licensing Policies**

Branches must make application for a blanket raffle licence to their municipal licensing official. If the branch is located in an area that is an unorganized territory or crown lands it must make application to the Alcohol and Gaming Commission of Ontario.

Branches may submit an application to the appropriate licensing authority for a blanket raffle licence for up to a maximum of a six – month period and for a total prize amount of up to \$5,000.00.

Branches may obtain one blanket raffle licence at a time. The types of raffle events that a licensee may conduct pursuant to a blanket licence include: Stub Draws, Elimination Draws, 50/50 Draws and Meat Spins/Turkey Rolls.

Branches may conduct any number of these raffle events or combination of these raffle events under a blanket licence, provided that the total prize board for all events held under the blanket raffle licence does not exceed \$5,000.00.

Any changes to an approved blanket raffle licence including the number of events, and total prize value to be awarded will require an amendment to the licence, and must be approved by the licensing authority. Amendments to any raffle event licensed under the blanket licence raffle must be made prior to the commencement of any ticket sales for that raffle event.

All proposed raffle events under the blanket licence raffle must be conducted in accordance with the Raffle Terms and Conditions, the Lottery Licensing Policy Manual and any terms placed on the licence by the Licensing Authority.

Branches may obtain a separate individual raffle licence to conduct or manage another raffle event (as set out in the Lottery Licensing Policy Manual) while they are conducting a blanket raffle, including the types of raffle events listed above.

### **Application Procedure**

Each application for a blanket licence must include the following information:

1. A list of proposed raffles to be held during the period.
2. Types of raffles to be conducted.
3. The number of each type of raffle to be conducted.
4. The total number of tickets to be printed for each individual event, and the total value of all tickets printed for each raffle event.
5. The cost per ticket for each event.
6. The location where the event will take place.
7. The dates for each raffle event, and the type of event to be held each day.
8. A detailed explanation of the rules for each type of raffle event.
9. A description of all prizes to be awarded and the approximate total retail value of all prizes to be awarded for each raffle event.
10. Total value of all prizes to be awarded for the period and the licence fee.

### **Reporting Procedures**

The licensing authority may require Interim Reports midway through the licensing period. The Lottery Report for the period of the blanket raffle must be submitted within 30 days of the date of the last draw and must include the following:

1. Income, expenses, profit/loss, for each raffle event under the blanket raffle licence.
2. Total gross receipts.
3. Total prizes awarded.
4. Total Administrative costs incurred.
5. Net proceeds.
6. Lottery Trust account information, including deposit slips and bank statements.

7. Details as to how proceeds will be disbursed.
8. Other records as requested by the licensing authority.

Licensees must identify on each deposit slip the date of the raffle event for each deposit made into the designated lottery account and specify the total proceeds deposited for each individual event. The licensee shall keep a separate ledger for each raffle event outlining the financial details including the proceeds derived, expenses paid and a list of how proceeds have been disbursed.

**NOTE: IT IS THE RESPONSIBILITY OF THOSE RESPONSIBLE TO SIGN THE FINAL REPORTS TO ENSURE THAT ALL OF THE INFORMATION IN THE REPORT IS ACCURATE. i.e. The amount deposited in the bank, number of tickets sold.**

Should you have questions that are not covered in the previous lottery section please contact your licensing authority or Ontario Command for proper interpretations.

## MISCELLANEOUS

### Ontario Command Insurance Program

The Provincial Executive Council of Ontario Command has endorsed a commercial insurance program available exclusively to Legion branches through Programmed Insurance Brokers Inc. (PIB). The insurance includes coverage for property and business interruption, crime, boiler, and liability (protection for bodily injury or property damage to others as a result of negligent acts). Branches are still free to choose the insurer of their choice but the participation of many branches in this program through volume buying should keep prices lower. The motivation for the choice of one program was not to provide business to any particular company but to stabilize prices and provide for some standardization in coverage. **Directors and Officers Liability insurance is not included but can be obtained in a separate policy.** Directors and Officers Insurance is now mandatory for all branches. PIB will provide property inspections and evaluations, liability assessments and risk control and guidance/material with respect to measures that can be taken to minimize risk, etc. Branches can contact PIB for quotations as follows:

Programmed Insurance Brokers Inc;  
49 Industrial Drive  
Elmira, Ontario  
N3B 3B1  
519-669-1631 and 1-800-265-6197  
www.pib.com

### Ontario Command Program - Purchase of Break Open Tickets Through One Supplier

The 2005 provincial convention approved a per capita increase of \$1.90 effective for the 2006 dues, bringing the Ontario Command per capita to \$11.00. Ontario Command had operated on per capita of \$9.10 since 1993, despite rising prices and reduced interest income associated with lower interest rates. Much attention was focused on reducing command costs in this period and many changes were made to effect cost savings before it became necessary to propose the per capita increase. The centralization of the supply function to Dominion Command had also dramatically reduced the gross revenues of our provincial command. Command officers were well aware that per capita increases present challenges to branches and were therefore keen to explore a proposal to use one supplier for the purchase of break open tickets by branches, that would stabilize pricing and create a new source of income for the Command, thereby diminishing the need to go back to the membership for increased per capita in the near future. The Provincial President appointed a committee to review proposals from three suppliers and the committee selected Arrow Games. A formal agreement was signed on February 1, 2006 for Arrow Games to supply break open tickets to branches in Ontario Command for a three year period and is reviewed every three years. Some of the elements of the partnership included guaranteed pricing to all branches in Ontario Command, freight included in the pricing, low turn-around- times for orders and deliveries, and the collection and remittance of a service fee to Ontario Command.

The contact information for Arrow Games is as follows:

Arrow Games Customer Service  
1-800-387-7621 (Phone)  
1-800-392-7769 (Fax)  
www.arrowgames.com

Current Contact:

Rick Sleaver, Director of Regulatory Affairs  
1-800-209-8313  
rsleaver@arrowgames.com

### **Financial Challenges Facing Branches**

Many branches are experiencing declining membership, decreased revenues and increased costs. Some branches must make difficult decisions about their future operations. The process of examining options and taking decisions is not always easily managed. Some branches have chosen to downsize only to find that the funds realized on the sale of the former property can diminish quickly and lead to their facing the same problems in a new location. There are some important lessons to be learned from the experience of other branches. Some suggestions are as follows:

1. Act early before a crisis develops! The executive and the members of the branch should stay on top of their finances, observing trends, identifying problems and taking corrective action early. The options available to a branch with a minimal net worth are dramatically reduced.
2. Make use of branch advisory assistance available from your district! Your district commander is required to identify at least two members who have the financial know-how to assist branches to assess the situation and make the necessary changes to address the problems. If the branch is not able to continue to function independently the branch advisors will help to examine the options. Ontario Command or a District Commander will on occasion insist on branch advisory assistance if the branch is unable to develop a business plan that will result in a viable operation.
3. It is not uncommon to have several branches in an urban area within a mile or so of one another, with each branch struggling to maintain older buildings on decreased membership. Branch property in urban areas tends to be valued higher and consideration could be given to selling one or two or three properties and relocating into a brand new facility. Branches do not have to necessarily give up their charters to co-locate with other branches. This option may appeal to some branches over amalgamation.
4. One strong branch can sometimes evolve from two financially challenged branches. Consider amalgamation, especially when the only other choice is the surrender of the charter. Upon amalgamation, all the assets of each branch are transferred into the new branch and the names and numbers can be combined. Branches and Ladies' Auxiliaries do not lose their years of service upon amalgamation, taking on the same years of service as the oldest branch or LA in the amalgamation. The Training and Organizational Development Committee of Ontario Command (formerly known as the Leadership and

Planning Committee) has developed a Guide for branches considering amalgamation as a complement to Section 616 of the General By-Laws. This guide is available from your District Training and Organizational Development Chairman or the command office.

5. Prepare a Business Plan! It is crucial to prepare a realistic business plan when determining where the branch stands and what needs to be done. Revenues and expenses should be projected for at least five years into the future. If the branch is considering selling its property and relocating elsewhere, a business plan is essential to determine the viability of the option being considered. Get estimates for any renovations required at the new location to make it useable as a Legion branch and factor these costs into the business plan.
6. Make use of Ontario Command for advice and counsel on property issues.

### **The Ontario Trillium Foundation Grant Program**

Many branches have applied to and received grants from the Trillium Foundation. The Trillium Foundation now requires the following:

1. Where gross revenues from all sources, including lottery funds and poppy funds, exceed \$250,000, the financial statements must be externally audited.
2. The branch must submit financial statements that show revenues from all sources. Separate statements for each revenue source are required.

### **Passing on Files**

Win or lose, appointed or not appointed, it is our duty as officers of the Branch, Zone, District and Command to pass on their files to the newly elected or appointed officer or chairman.

### **Resolutions**

There is sometimes confusion about resolutions and hopefully the following will clarify how resolutions may originate and how they are handled:

1. Resolutions must be submitted on the approved Ontario Command Resolution Form.
2. Resolutions may be submitted by the command, a branch or a standing committee of the command.
3. The By-Laws do not provide for resolutions to originate from a Zone or a District.
4. All resolutions must be submitted to Ontario Command to receive consideration. A resolution may not be submitted directly to Dominion Command from a branch or Provincial standing committee.
5. Resolutions received after the convention deadline date for resolutions, unless of an emergency nature, will be referred to the next convention.
6. Where possible resolutions are referred to the Provincial standing committee that oversees the program to which the resolution is applicable.
7. Where the resolution does not relate to a particular standing committee, it is referred to a meeting of the Administrative Committee of Ontario Command, if timing permits.

8. PEC considers all resolutions that have been considered by a Provincial standing committee or the Administrative Committee and any resolutions received after these meetings and prior to the collation of kits for the PEC meeting.
9. Where possible, depending on the timing of receipt of the resolution and the timing of conventions, resolutions are submitted to a convention or PEC before being forwarded to the Dominion or Provincial Command resolutions committee.
10. There is no requirement in the By-Laws for a zone or district to approve branch resolutions for the resolution to go forward. However, the endorsement of the Zone or District may add weight to the resolution.
11. If a branch wishes a resolution to go forward following its defeat at a zone or district convention, the branch is responsible to submit the resolution to Ontario Command.
12. By-Law changes resulting from resolutions that are approved at a Dominion or Provincial Convention are effective on 1 October following the applicable convention. Resolutions passed at a Provincial Convention that affect the general By-Laws of Dominion Command or policies of Dominion Command are subject to approval at the next convention of Dominion Command.

### **Trustees.**

Section 905 of the General By-Laws of Ontario Command, as approved by Dominion Command, specifies that the real property that may be held or acquired by any Branch shall be held in the name of such Branch. Branch property may not be held in the name of trustees. If your branch has trustees that are listed on the property deed and are deceased, please contact Ontario Command for assistance.

### **Ontario Command Website**

Plans are in place to post this manual and the Provincial By-Laws of the Ladies' Auxiliary and Ontario Command as read-only items on the Ontario Command website. A bulletin section for current circulars and press releases issued by Ontario Command and a downloadable forms section is available on our website under the member's area.

## **ORGANIZATION AND STRUCTURE DOMINION AND PROVINCIAL COMMAND**

### **General**

The Act of Incorporation (Chapter 84 of the Statutes of Canada 1948, as amended) is the authority of The Royal Canadian Legion. It provides that the governing body of the Legion shall be the dominion convention, and when it is not in session, the dominion executive council has supreme jurisdiction in all matters within the purposes and objects as set out in The Act. The decisions of the dominion executive council on questions of policy and in the course of action to be taken are binding on all provincial commands, councils and branches.

The branch is the primary unit of the Legion. All branches and provincial commands exercise autonomy with regard to their own affairs within the area under their jurisdiction and within the provisions of the General By-Laws.

Amendments to the General By-Laws are approved by the biennial dominion convention. Each provincial command has its own By-Laws, approved at its provincial convention. These By-Laws control the affairs of the command and of the branches under its jurisdiction. Branches in Ontario, similarly, set up regulations to control their own affairs. None of these regulations may be inconsistent with the General By-Laws, and branch regulations may not be inconsistent with the Provincial By-Laws. If a conflict does exist, the General By-Laws supersede the Provincial By-Laws and the Provincial By-Laws supersede the Branch Regulations.

The Dominion Executive Council is composed of the elected dominion officers, provincial command representatives and special groups, as provided for in the General By-Laws.

Each level of the Legion sets up standing committees to carry out specific duties as prescribed by the By-Laws and by the executive committees, to which they make regular reports. The Legion is a **non-profit**, dues-supported organization. A per capita tax on members' dues supports the operation of provincial command and dominion command and the Legion magazine. The Legion is not a registered charity and tax-deductible receipts may **not** be issued for donations to support the general operations of the Legion.

### **Dominion Command**

At Dominion conventions, the delegates elect officers as follows:

Dominion President

Dominion First Vice-President  
Dominion Vice-President (three)  
Dominion Chairman  
Dominion Treasurer

These officers are elected for a two-year period and with the Immediate Past President, form the Senior Elected Officers of the Dominion Executive Council to carry out the necessary business

between council meetings. The Dominion President approves appointments of members to a number of standing committees.

The Senior Elected Officers, the provincial command representatives, one from each Provincial Command and the TVS representative collectively comprise the Dominion Executive Council. This council is the governing body of the Legion between conventions. It deals with resolutions from provincial commands and reports from all committees.

Everything is reported in Dominion Executive Council minutes, which are distributed to all members of Dominion Executive Council and to Provincial Secretaries/Executive Directors.

The Dominion Command Committees are:

- Veterans Service and Seniors
- Membership
- Public Relations
- Sports (Track & Field)
- Ritual and Awards
- Constitution and Laws
- National Honours
- R.C.E.L. (Canada)
- Dominion Convention
- National Defence
- Poppy & Remembrance (Pilgrimage, Cadet Medal, Poster and Literary Programs)

In addition, special committees are named from time to time by the Dominion President on an as required basis and these committees act until their work is completed.

### **Ontario Provincial Command**

The governing body and supreme authority is the Provincial Convention. Provincial conventions are held biennially in the odd years. In between conventions the Provincial Executive Council carries on the work of the command. It meets yearly and in between meetings of the council, the Administrative Committee meets to handle the administration of the command operations and programs.

At the Provincial Convention of Ontario Command, the delegates elect the following officers:

- Provincial President
- Provincial First Vice-President
- Provincial Vice-President (three)
- Provincial Honorary Treasurer
- Provincial Chairman
- Provincial Vice-Chairman

These officers are elected for two years, and with the Immediate Past President, represent the Senior Elected Officers of Ontario Command. The Provincial President is the provincial representative to the Dominion Executive Council. The Provincial President recommends to the Administrative Committee the appointments of the Provincial Standing Committee Chairmen. The first meeting of the Administrative Committee is held on the same day as convention closes and it is at this meeting that the appointments of the chairmen are ratified.

The following chairmen are appointed and are members of the PEC:

- Branch Financial Advisory
- Bursary
- Charitable Foundation
- Constitution and Laws
- Honours and Awards
- Membership
- Ontario Correspondent
- Poppy
- Property
- Public Relations
- Resolutions
- Sports
- Track & Field (appointed at August Administrative meeting)
- Training and Organizational Development
- Veterans Services/Seniors
- Youth Education

The President also appoints a Web Site Coordinator and an Editor for the Ontario Command Information update. These members are not PEC members but the Web Site Coordinator does attend PEC meetings to report to PEC.

The Provincial Track & Field Chairman's appointment is delayed until the next Administrative Committee Meeting because the term is from August 1<sup>st</sup> following a Provincial Convention to July 31<sup>st</sup> following the next Provincial Convention.

The Vice-Presidents and the Honorary Treasurer, Chairman and Vice-Chairman review and serve on the appeal committee, as required. The First Vice-President is normally assigned the Veterans Services/Seniors Committee. He also sits on the Charitable Foundation and takes responsibility for the Zone Commanders workshop, held yearly on the Sunday following Provincial Exec. Council.

Ontario Command is made up of nine (9) districts, forty-three zones, and over 410 branches. The Senior Elected Officers, Provincial Standing Committee Chairmen, District and Deputy District Commanders and Zone Commanders all sit on the Provincial Executive Council.

The Provincial President is an ad hoc member of all Provincial standing committees and represents the command to various government officials on a number of advocacy issues affecting Veterans and branches in Ontario Command. Provincial Standing Committee Chairmen are similarly active in advocacy work.

## **PROTOCOL:**

The Ritual and Insignia booklet is a comprehensive manual (item # 700103 - available only from Dominion Command). The manual includes information on Legion Dress, Legion meetings, initiation of members, installation of officers, ceremonies and events, Legion funerals, flags and colour parties, etc. The manual also contains a lot of the information including order of Legion precedence and protocol for functions.

Simply put, protocol is 'manners'. It is the rule of observing accepted etiquette in various situations and adhering to the order of preference and correct procedure.

The principles of protocol are to be applied with formality and dignity for all Dominion and Provincial Command, District and Zone Officers' visits.

Invited guests from any level of Command should be granted the courtesies one would expect from a gracious host and protocol should be observed on the occasion of visits by any of the officers noted hereunder, with care to be taken in determining the order of precedence of their elected office.

### **Order of Precedence:**

Grand Patron  
Grand President

### **Dominion Command -**

Dominion President  
Immediate Past President  
First Vice-President  
Three Vice-Presidents  
Treasurer  
Chairman  
Members of DEC

### **Provincial Command -**

Honorary Grand President  
Provincial President  
Immediate Past President  
First Vice-President  
Three Vice-Presidents  
Honourary Treasurer  
Chairman  
Vice-Chairman  
District Commanders  
Deputy District Commanders  
Zone Commanders  
Deputy Zone Commanders

### **The Invitation:**

The invitation should be extended well in advance of the date of the function in order to avoid conflict with other activities that the invited guest may have to consider, and must be issued on a Command-approved Visitation Form. (*see Visitation section*) The invitation should be extended by the Branch President or Secretary on behalf of the Branch and state:

- day, date, time, place and occasion;
- if the guest (Command officer) is invited as the speaker, he should be advised of the subject and how long he should speak (suggested maximum 12-15 minutes) and be given the preferred spot on the agenda;
- the number expected to be in attendance;
- dress and type of medals to be worn; and
- specify if the invitation is for members only - other guests, wives, etc.

All of these facts will be helpful to the guest and, if there are other duties required of him, such as, official openings, presentations, etc., he should be advised of this prior to the proceedings.

When a meeting, dinner or otherwise, is planned it should be scheduled with a starting and finishing time in mind, and any activities in between should be planned to adhere strictly to the schedule.

### **Acknowledgement, Travel and Accommodation:**

When the invited guest has confirmed acceptance of an invitation, a letter advising of accommodation arrangements should be sent to him immediately.

### **Greeting:**

If the guest is travelling by plane, he should be met on his arrival and conducted to his accommodation. If by car, the greeter should visit the motel shortly after the guest's arrival. The greeter should ensure that arrangements are satisfactory, provide a copy of the agenda or program, advise the guest of the time he will be picked up, and then leave. This will allow the guest an opportunity to relax prior to the dinner.

Arrangements should be made to have the Branch Executive meet with the visiting official either before or immediately following the banquet. This is important because he is interested in meeting the leaders of the organization in each area and may wish to discuss some phases of its operation and matters pertaining to the welfare of the organization as a whole.

### **Transportation:**

Transportation should be provided for the guest and available for his needs at all times.

### **Entertaining:**

If time permits while your guest is with you, arrange to conduct him on a tour of points of interest in the immediate area.

## **HEAD TABLE ETIQUETTE**

We recommend that whenever a Legion function (such as the opening of new premises, anniversary banquets, Remembrance banquets, etc.) is held, the guest speaker shall be called upon before the other Head Table guests are asked to give their remarks.

It is very disheartening for a guest speaker, who may have travelled many miles to have to listen to numerous speakers before he is called upon to give his address, since he knows that the audience may be becoming very restless. It is also unfair to the guests to have to sit and listen to too many speakers.

As previously stated, the other Head Table guests should confine themselves to conveying greetings on behalf of the Government or Legion Office they represent.

It should also be remembered that a Legion function is held primarily for the benefit of Legion members and, therefore, Legion guests such as Dominion, Provincial, District or Zone Officers should be our first priorities and receive precedence over others.

At the Official Opening of our Halls or New Buildings, the main officer at that function should be the Provincial President or his representative. If the Dominion President is at the Opening, the two officials together cut the official ribbon to open the new building or hall.

We also call attention to the fact that when a guest arrives at a Convention or Meeting he should be escorted to the stage or platform by the Sgt.-at-Arms, rather than marched on.

### **Cocktails:**

Cocktails before dinner will serve to introduce the guest to members of the executive and other guests.

### **Seating:**

All guests will stand when the head table enters the room and remain standing until directed by the Chairman to be seated.

The official host (President or Chairman) sits at the central position. The guest of honour should be seated to the right of the host and other guests, in the order of their precedence should be seated to

the left and right alternatively from there. If spouses are in attendance, it is normal that they are seated beside their partner. The Master of Ceremonies is usually seated to the far right of the host and at the end of the table where he can have access to a microphone if needed. The host will call for the march on of the colours, which will be followed by the Opening Ceremonies as per Legion Ritual. The audience will remain standing until all ceremonies have been completed and the head table is seated.

### **Grace:**

Grace is said before food is touched when everyone is at the table. The Padre, his designate, or the Host Branch President may say grace. If another Comrade is requested to perform this function, he should be forewarned and called upon by the Chairman. He need not necessarily be seated at the Head Table and will say grace from his place of seating.

If the Chaplain has a military rank, it takes precedence over his clerical rank, for example - "Major, the Reverend John Smith". When addressing a Chaplain, he may be addressed either "Major Smith" or "Padre".

### **National Anthems of Other Countries:**

If the Guest of Honour is from another country and his National Anthem is played, we are to stand and conduct ourselves as we would for our Royal Anthem.

### **Toast to The Queen:**

It is customary in the Legion for the First Vice-President to propose the toast to The Queen. At the appropriate time the President or Chairman will call the meeting to order and merely state "Comrade First Vice-President". The First Vice-President will rise and say "Ladies, Gentlemen and Comrades – The Queen".

Note: It is approved procedure that The Queen be toasted with water, spirits or wine (not cocktails) and glasses should **not** be clinked.

If the Royal Anthem is played prior to the Toast being given, it will not be played again at the conclusion of the banquet.

At the completion of the main course or other appropriate time, the Head Table guests will be introduced by the Chairman.

### **Introduction:**

A biography of the guest speaker (Command officer) shall be forwarded to the Branch for introductory purposes.

**Thanks:**

The expression of thanks to the speaker may be given by the Chairman or other person at the conclusion of the address. It should be short and to the point.

Following the guest speaker, the Chairman may call upon other head table guests for brief remarks.

The Chairman will call for all to stand for the Closing Ceremonies and retirement of the Colours.

If entertainment is scheduled, it should commence at this point, and if the hall must be re-arranged for a social event after dinner, the guest may be conducted on a tour of the Branch. Be attentive of his needs, but let him be free to mix and socialize with your members.

**Departure:**

Ensure that transportation is available for the guest, if necessary, to take him from his accommodation to the place of departure if by air.

Follow up with a letter of appreciation a few days after the visit.

## **PROVINCIAL EXECUTIVE COUNCIL**

The Ontario Provincial Executive Council consists of a President, Immediate Past President, First Vice-President, three Vice-Presidents, Honorary Treasurer, Chairman, Vice-Chairman, District Commanders, Deputy District Commanders, Zone Commanders, and the Provincial Standing Committee Chairmen.

The Executive Council of the Command meets annually each year and has the power to perform and carry to completion, work entrusted to it by the last convention or the Command By-Laws; to fill all vacancies between conventions, to supply any omissions of the convention, and to carry on the business of the Command in any manner not inconsistent with the expressed will of the convention.

The Executive shall not be obliged to admit any person other than its members to its deliberations.

Only members of the Executive shall have the right to make or second motions, make nominations or vote at meetings of the executive.

The Provincial President may, for cause, suspend the charter or powers of any Branch or Auxiliary or suspend any officer and report the action taken to the Provincial Council Section 505. Refer to Section 419 and 420 of the General By-Laws.

The Provincial Executive Council may make deliberations and decisions by mail or email. Acquiescence by a quorum is the authority for action by the Administrative Committee.

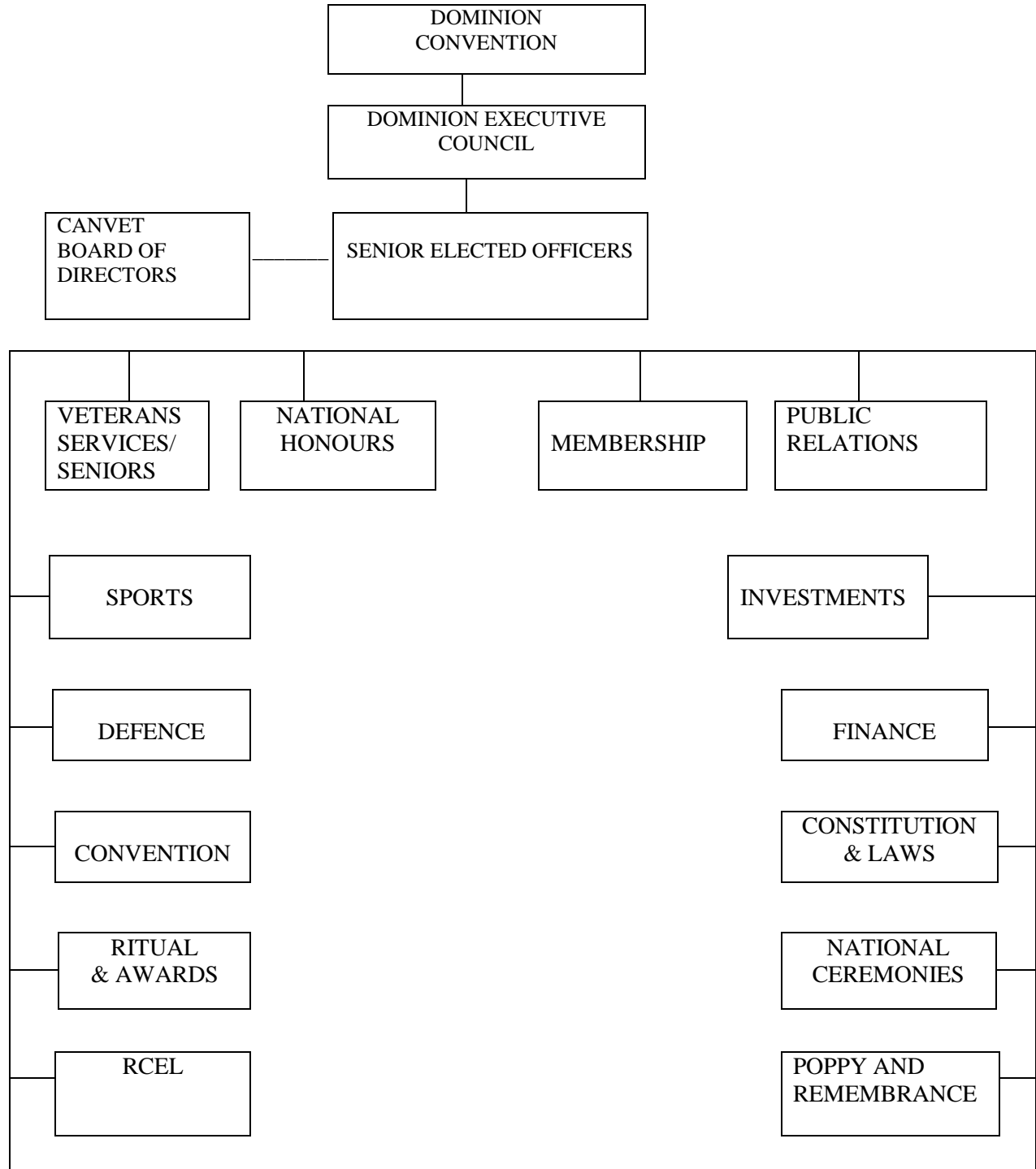
## **PROVINCIAL ADMINISTRATIVE COMMITTEE**

The Administrative Committee of the Ontario Command is a committee established by the Provincial Command By-Laws for the purpose of handling administrative and other urgent matters between meetings of the Executive Council. The composition of the Administrative Committee consists of the President, Immediate Past President, First Vice-President, three Vice-Presidents, Honorary Treasurer, Chairman, Vice-Chairman and the District Commanders.

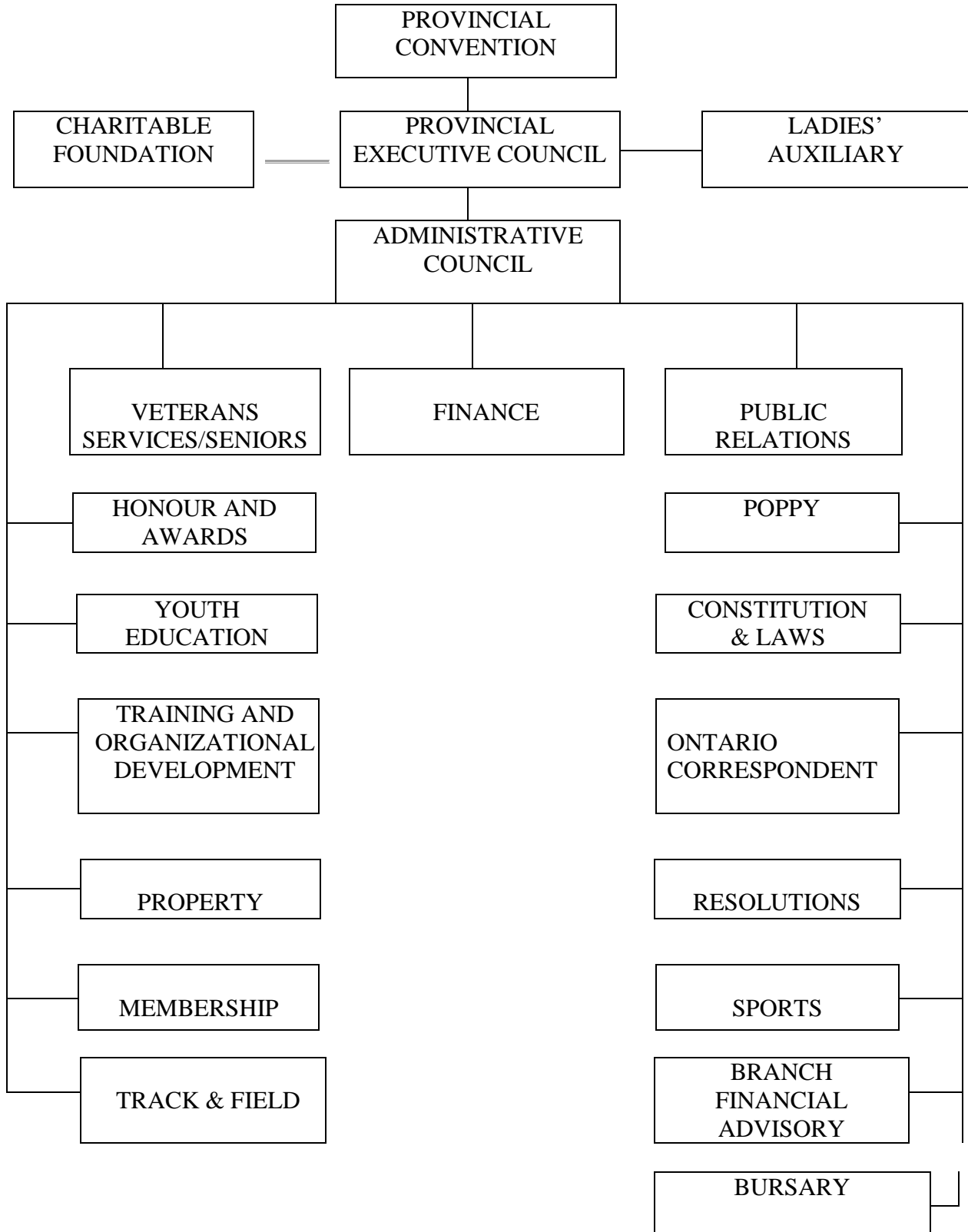
The powers of the Administrative Committee are limited to the interpretation of the policy of Command as it may relate to matters of internal administration and organization of the Provincial Command and staff, Branch, Zone and District administration, particularly deciding what matters shall rightly go before the Provincial Executive Council. All proceedings of the Administrative Committee must be confirmed by a subsequent meeting of the Executive Council. Meetings of the Administrative Committee shall be called by direction of the President or a majority of the Command Officers.

If the District Commander is unable to attend an Administrative Committee meeting, the elected Deputy District Commander may be appointed to attend in his stead.

# DOMINION COMMAND POLICY DEVELOPMENT



# PROVINCIAL COMMAND POLICY DEVELOPMENT



## **SERVICE BUREAU PROVINCIAL SERVICE OFFICES OF ONTARIO PROVINCIAL COMMAND**

The Ontario Provincial Command has permanent offices located in North Bay, Ottawa, Aurora and Windsor. The names, addresses and telephone numbers of our Provincial Service Bureau Officers are noted hereunder:

### **Windsor Office**

Randolph C. Groundwater  
1368 Ouellette Avenue,  
Suite 308  
Windsor, ON N8X 1J9  
Tel: (519) 253-2422  
Fax: (519) 253-0922  
Email: [legionsb@bellnet.ca](mailto:legionsb@bellnet.ca)

Territory: A, B1 - 6, C

### **North Bay Office**

Sherry Culling  
Suite 203, 510 Main Street (East)  
North Bay, ON P1B 1B8  
Tel: (705) 472-8650  
Fax: (705) 472-1969  
Email: [legionsbnb@bellnet.ca](mailto:legionsbnb@bellnet.ca)

Territory: E 3, 4, 5 and H and K

### **Ottawa Office**

Patricia Royle  
86 Aird Place  
Suite 222  
Ottawa, ON K2L 0A1  
Tel: (613) 591-0144  
Fax: (613) 591-0148  
Email: [proyle@legion.ca](mailto:proyle@legion.ca)

Territory: F3 and G

### **Aurora Office**

Scott Young,  
89 Industrial Parkway North  
Aurora, Ontario  
Tel: (905) 841-7999  
Fax: (905) 841-9992  
[syoung12@on.aibn.com](mailto:syoung12@on.aibn.com)

Territory: B7, D, E2, F1, 2,4 and 5

The services of the Provincial Service Officers are available to all Legion branches, the Legion member, or ex-service personnel and/or their dependants. They will give assistance and advice on matters relating to:

- a. Disability Pensions under the Pension Act
- b. Disability Compensation and other benefits provided under the Canadian Forces Members and Veterans Re-establishment and Compensation Act - also known as the New Veterans Charter ( NVC).
- c. Benevolent Funds
- d. Treatment Benefits
- e. Allowance Programs
- f. Funeral and Burial Assistance
- g. Veterans Independence Program
- h. Allied Veterans Benefits and Programs
- i. Other related matters.

The Provincial Service Officers continue to represent clients who are applying for disability pensions under the Pension Act and may represent clients who are applying for the disability compensation under the NVC. Their services are also available for reviews and appeals of the decisions rendered.

Although the Provincial Service Officer is knowledgeable on other programs provided by VAC (such as war veterans allowance, treatment benefits and the veterans' independence program), veterans and their dependents are routinely referred to VAC to establish their eligibility for these programs.

### **The Veterans Services Chairman**

Each Branch shall appoint a Veterans Services Chairman/Branch Service Officer who is available to advise and assist the Veterans, widows, ex-servicemen etc., in their communities. A branch may wish to appoint two people to fill the Veterans Services Chair position and the Service Officer position.

The officer can be called upon to respond to a variety of questions and situations. Not only should the Chairman become familiar with Veterans Affairs benefits, he/she should also be aware of other federal, provincial and municipal programs which exist and might be appropriate.

Ideally, the Veterans Services Chairman/Branch Service Officers works with the Provincial Service Officer and Counsellors at Veterans Affairs Canada to ensure that requests for assistance are referred to the attention of the proper persons or authority.

This chapter of the Officers Manual shall be read in conjunction with the Service Officers Handbook published by Dominion Command of The Royal Canadian Legion on a bi-annual publication. The next publication should be in the fall of 2012. Additionally, the Poppy Manual will need to be consulted. Finally, attendance at the annual District Service Officers Seminar will only prove to reinforce knowledge learned at the branch level, or in the case of new Branch Service Officers, provide them with sufficient information to be able to perform their tasks in an efficient and confident manner. All information received by a BSO is CONFIDENTIAL.

The intent of this section of the Officers Manual is to enable Branch Service Officers (BSOs) to be able to assist veterans and their dependants with a number of applications they may deal with, and provide some comfort, throughout the process of seeking benefits, at any level from VAC, through an Office of a Provincial Service Bureau Officer.

Historically, the Branch Service Officer will assist the clients to complete the Legion Application Form, during an interview, at the first application level a (VAC form PEN 923), and an application for Benevolent Fund assistance (Form VAC 1278).

A generic set of **Terms of Reference** for a Branch Service Officer are presented and may be altered to suit the need of individual branches.

**NOTE:** As a Branch Service Officer you are there to direct potential applicants to the Provincial Service Officer, responsible to provide services in your Zone. At no time should a Branch Service

Officers deal directly with Veterans Affairs Canada, with a referral for a first application for disability benefits. Branch Service Officers conducting this level of application effort may be held responsible, by the client, for any delays or miscommunications to VAC as a whole. Applications sent to a Provincial Service Officer then become their responsibility, and the BSO is then removed from the application process.

In order for a Branch Service Officer to be able to perform their functions at the branch level; we have provided some tools and guidance in the following pages. The Branch Service Officer, possibly, being the first point of contact for the veteran, or their dependants, should be comfortable with conducting an interview with them. In order to reinforce this confidence in our Branch Service Officers, an Aide Memoire has been established for the completion of the Legion Application Form. The Legion Application Form may be on plain white or coloured paper. This is the choice of the BSO.

The registering of a claim for either a disability pension or disability award is the responsibility of the Provincial Service Bureau Officer. These registrations require copies of specific identification and other associated documents. These will be sought by the Provincial Service Office once the application is received at the appropriate location.

**Aide-Memoire**  
**Branch Service Bureau Officers**  
**Conducting an Interview and Completing the Legion Claim Form**  
**The Legion Application Form is at the end of this section**

From time to time a Branch Service Officer may be required to conduct an interview so that they can complete the Legion Claim Form for a client and forward it to the Provincial Service Officers Office. As some Branch Service Officers have suggested that they are not sure what approach they should take when conducting an interview, the following has been prepared to assist you. This aide-memoire is not binding, but designed to enable a Branch Service Officer to have a basis from which to conduct their interview.

**Note:** All interviews should be conducted in a private area. If possible, the Service Officer should try and conduct the interview in the individuals, home surroundings (ie. Branch), rather than an open public area. The information passed to a Branch Service Officer is personal and confidential, and will not be released to anyone, other than a Provincial Service Bureau Officer, without the expressed written permission of the client.

**1. Identifying the Client:**

Please note that the clients full first and surname is placed at the very top of the page. Then they should complete, or you may complete it on their behalf, the sections numbered 1 through 7. This will identify the client and provide us with their particulars. Ensure that you receive the clients christened first name, some individuals will be only known as Hank, but their actual first name is Harold. The records secured for the client will have Harold on them. If we register the claim using Hank we may not get the service records as requested.

**In area 1,** under applicant . . . if the client is completing, ensure they place the first name of their spouse in the area marked applicant. Newer applications should have this entered on them. However, if the application is being completed on behalf of an individual then the name of the individual making the application should go here, ie Power of Attorney (POA).

**Note:** Not all officers of WW II, had a service number. Service Numbers for WWII Air Force veterans will start with the letter “R” for enlisted individuals and a “J” for the Officers. Service Numbers for the Navy will normally start with a “V”. This indicates WWII service. Officer’s number will start with an “O”. The Army will have different alpha prefects depending on where the individual enlisted.

**2. Present Status of the Client:**

Complete sections 8 and 9, this will enable us to know if the client has a current file number with Veterans Affairs, additionally it should also tell us if they have ever applied for any disability benefits with VAC, and what the previous claims, if any, were for. In section 9, enter the present disability that the client is seeking assistance for.

**NOTE:** If the client is not sure of their current diagnosis for a condition, then place the name of the body area, i.e., low back, neck, feet, or knees, etc. This will at least provide us with a starting point. Claims for full body arthritis should be discussed with the Provincial Service Bureau Officer, prior to moving forward on the veteran's behalf.

In section 9 there are two notes. These should be explained to the client:

- (1) We will require a specific diagnosis for the disability for which they are claiming a pension. If it is only for pain, (i.e. Knee pain) then the expected diagnosis would be Osteoarthritis, noting that pain is a symptom of something and not a pensioned condition by itself. Lower Mechanical Back Pain is a condition that may be made as a standalone condition, and
- (2) We will carry on with a claim should a client pass away so that we can obtain a survivors compensation for their spouse.

### 3. **Authorization to Proceed:**

To complete the application the client should sign section A, B or C. Section "A" is the preference signature area. The veteran may feel free to sign just section "B" however; they then must be cautioned on the limited work that we may be able to provide for them. In this case, Section A must still be signed in order for the Provincial Service Officer to be able to view the clients file at VAC. However, access will be for the one condition, or case as detailed by the veteran. Section "C", as stated will enable us to use their case as a sited example only, without the use of their name or numbers etc. This may be of value to other veteran's down the road.

When the client signs the final authorizations on the bottom of the page they are signing so we can access their Medical Files through National Archives. Most of these files are now viewed electronically through a Veteran Affairs Canada computer system. Also, a requirement may exist to obtain a Head Office file, in the case of a client with present day compensation. At all times it is a preference to have all of these signatures blocks completed.

### 4. **The Interview:**

Regardless of what the client has requested the interview for, it is always best to complete the Legion Application Form first, and then discuss the reason for the visit. This way, you, the Branch Service Officer, can use the back of the form to make notes and keep the application on file at the Branch, if it is not required to be sent to a Provincial Service Officer. If the application is to be sent forward, the original application must be provided to the Provincial Service Officer, a copy made for the branch records, which must be held in a controlled and safe area.

A majority of the individuals that you may interview, will probably, be seeking a way of directly pursuing a Disability Pension (DP) or a Disability Award (DA), for a present day disability or for assistance with respect to being able to stay in their own home. This is normally the assistance with the housekeeping work, and or the ground maintenance work. In the case of an individual who wants to stay in their own home, but they do not have a DP or DA, and are seeking the benefits available under the Veterans Independence Program (VIP), it will have to be confirmed whether they fall under the War Veterans Allowance Act or the Canada Service Veteran Only VIP Package, or the Allied Veterans VIP benefits, as detailed in your Service Officers Handbook. However, if

you are unsure, submit the completed application to the Provincial Service Officer that is responsible for your Zone.

For individuals who are seeking a pension, or an award, for a disability, you should obtain as much information as possible, and then inform them that you will forward their request to a Provincial Service Officer who will contact them, to discuss their issues and the way forward.

At no time should you make a judgement (adjudicate) on a person who is requesting assistance.

The responsibility of the Branch Service Officer is to assist with the completion of the application and then forward it on to the appropriate Provincial Service Bureau Officer. Any Regular Force or Reserve Force member who wore a uniform is eligible to make an application to Veteran Affairs Canada for consideration of compensation for their present day disability. The information obtained from their medical files, from National Archives, along with their personal physician's statements, coupled with their own statement of the events and the disability of the present day will be forwarded to Charlottetown, where an adjudicator will decide if they are to receive a Disability Pension, a Disability Award, or be denied on the application.

The above guidance should allow new Branch Service Officers to conduct an interview with a client and obtain the necessary information required to start a claim for a Disability Pension or a Disability Award or for an application for either WVA or VIP benefits for an individual.

**Remember:**

- a. Disability Pensions are paid monthly, to anyone who had a successful claim with a date prior to 31 March 2006.
- b. Disability Awards are paid in a lump sum, for all successful claims registered on after April 1, 2006. This does not apply to WWII Veterans, Korea Veterans or RCMP claims. They are protected under the pension act.
- c. For either a Disability Pension, or for a Disability Award, the amount of compensation is based on the degree of disability that an individual has at the time of their present day medical assessment.
- d. All condition may be re-evaluated, if the condition worsens.

**Note:** Some visits and interviews will result in a veteran or their dependant seeking financial assistance for an emergency medical or family issue for which they do not have the funds available to support the requirements. These benevolent fund requests should be handled either from the Branch Poppy Trust Funds Chairman, with guidance from the Branch Service Officer, or the request should be forwarded to the appropriate Provincial Service Officer for their actions. The guidelines set out should enable Branch Service Officer to conduct and interview, complete and a Legion Application Form, and provide that information to the Provincial Service Bureau Officer.



THE ROYAL CANADIAN LEGION  
CLAIM APPLICATION FORM



Service Officer  
\_\_\_\_\_

I \_\_\_\_\_, the applicant, authorize The Royal Canadian Legion to act as my representative and to have access to my relevant medical records, service records, client case files, and Client Service Delivery Network (CDSN) database records held by Veterans Affairs Canada (VAC), including those records held by the National Archives of Canada necessary to prepare a claim under the Pension Act and all other Acts as they relate to benefits and programs administered by VAC. Representation and access to my records is to remain in effect as follows: (choose one of "A" or "B") (Signature in Block "C" is optional)

**A** Indefinite representation/access unless cancelled by me in writing to Veterans Affairs Canada. I understand Veterans Affairs Canada will notify The Royal Canadian Legion of this action upon receipt of my request.

Applicant's Signature \_\_\_\_\_  
Date \_\_\_\_\_

OR

**B** Representation access to end upon completion of specified claim(s).  
(Specify)

Applicant's Signature \_\_\_\_\_  
Date \_\_\_\_\_

**C** I understand that in certain circumstances decisions rendered in case(s) may be used by The Royal Canadian Legion as precedents to assist other applicants. I authorize The Royal Canadian Legion to have indefinite access to past and future decisions made on all my claim(s) for the purpose of assisting in the decisions of other applicants.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

**PARTICULARS OF SERVICE AND CLAIM:** (please print) \_\_\_\_\_ Date of Interview \_\_\_\_\_

- Service No. \_\_\_\_\_ Marital Status \_\_\_\_\_ Dependents \_\_\_\_\_  
Tel. No. (H) \_\_\_\_\_ (W) \_\_\_\_\_ Name of Applicant \_\_\_\_\_
- Address \_\_\_\_\_
- Date of Birth \_\_\_\_\_ 4. If deceased, Date of Death \_\_\_\_\_
- Date of Enrolment \_\_\_\_\_ Date of Release \_\_\_\_\_
- Regiment/Unit/Ship etc. \_\_\_\_\_
- Theatre(s) of Service \_\_\_\_\_
- Have you previously applied for a disability pension or other benefit from VAC? Yes  No   
If yes, are you currently receiving a disability pension? Yes  No  VAC File No. \_\_\_\_\_  
VAC Blue Cross Card: "A" benefits ? "B" benefits ?
- Explain what your claim is now \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTES TO APPLICANT:**

- Physician's Diagnosis of Claimed Condition(s) is necessary and should be provided as soon as possible.
- In the even of your death, The Royal Canadian Legion will continue to have access to your records for a period of 90 days in order to finalize any claims pending at the time of your death.

THE FOLLOWING AUTHORITY MUST BE SIGNED

I \_\_\_\_\_, Service No. \_\_\_\_\_ authorize The Royal Canadian Legion to access all medical and service records including those held by the National Archives of Canada and to prosecute a claim through any agency of Veterans Affairs Canada.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

THE FOLLOWING AUTHORITY MUST BE SIGNED

I \_\_\_\_\_, Service No. \_\_\_\_\_ authorize The Royal Canadian Legion to access all medical and service records including those held by the National Archives of Canada and to prosecute a claim through any agency of Veterans Affairs Canada.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

## **Terms of Reference Branch Service Officer (BSO)**

1. The BSO may be an appointed member of the Executive of the Branch, with respect to the activities of their office.
2. The BSO will respect the confidentiality of individual Veterans, and cases which they are dealing with.
3. The BSO will receive approval of the Poppy Trust Fund Committee before incurring any expenses out of Poppy Trust Funds.
4. The BSO will assist veterans in the processing of applications for pensions and benefits etc.
5. The BSO will maintain a library (if space is available) of information booklets, etc for distribution to veterans, as required.
6. The BSO, as part of the Poppy Trust Fund Committee, will process all request for Benevolent Funds through the Poppy Trust Fund Committee.
7. The BSO will be aware of the provisions of the General By-Laws of the Legion, The Provincial By-Laws, Branch Regulations, the Service Officers Handbook, and the Poppy Manual as they refer to the services available to veterans.
8. The BSO will maintain an on-going liaison with the Provincial Service Officer.
9. The BSO will schedule visits of the Provincial Service Officer for the purpose of meeting individual veterans or conducting information sessions.
10. The BSO will establish an outreach program with the view to seeking out veterans who may require assistance.
11. The BSO will establish a program so that veterans in retirement/nursing homes are visited on a regular basis.
12. The BSO will ensure that the Assistant Service Officer is fully involved in the activities of the office, and is in a position to assume the full responsibility of the office, if and when required.
13. The BSO and the Assistant Service Officer will maintain their level of knowledge by attending regularly scheduled Zone and District Service Officers Seminars.
14. The BSO shall deal exclusively with the Provincial Service Bureau Officer, for all first applications and benevolent fund applications. Additional referral shall be made for individuals who wish to appeal a negative decision from Veteran Affairs Canada or the Veterans Review and Appeal Boards (VRAB)

## **Completion of a PEN 923 – Application for Disability Pension**

The PEN 923 is the only application that Veteran Affairs Canada will except as an application for either Disability Pension or Disability Award. As a Branch Service Officer, you will be required to provide assistance in the completion of these forms for both our veterans (using a PEN 923) making a first application, and their widows (using a PEN 6206), who may be making a submission of a claim upon the death of a veteran spouse.

This application is very easy to deal with.

**Page One:** asks for what is typically called tombstone data, or personal information, about the veteran. Here we will place the veterans' name, service number/regimental number/Social Insurance Number (SIN)/RCMP badge number/Merchant Navy number etc. Without one of these numbers, were applicable, we will not be able to acquire the necessary medical documentation from National Archives, and without the medical documents from the veterans period of service with the military etc., we are unable to submit a claim.

Additionally, when the dates of service are requested, it is understood that not everyone will remember their exact dates of service, but this is not a major issue, for once the medical documents are made available to the Provincial Service Bureau Officer they will also be able to see the exact dates of service. The application, then seeks the location of release and the mailing address of the applicant. This allows for a home address to be different from a mailing address, for example where a Post Office box number is used in conjunction with a street address.

**Page Two:** This section of the application deals with dependants; it first ask for the marital status of the applicant. This is followed by the name of the spouse, and their date of birth and the date of marriage. This information is imperative, and will delay the release of financial compensation where a monthly pension is payable. The last section deals with that of dependent children. For Veteran Affairs Canada purposes a dependent child is one who is living at home and has not reached the age of eighteen (18) years, or a child who is between the ages of eighteen (18) and twenty-five (25) years and who is in full time attendance at an educational institute. For this level of dependant, the monthly dependant pension increase is only for the actual months that they are attending school, ie September to June. Finally, a dependant is any child regardless of age, who suffers from a direct physical or mental disability, and is wholly dependent on the veteran for their support.

**Page Three:** This section of the application deals with the veteran's statement, for the disability or disabilities being claimed, and the link between their military service and their present day disability, that they are claiming for. It cannot be stressed strong enough that the statement the veteran places here could be a major factor in the awarding of a successful application. This is where the veteran should provide as much detail as possible for support of their claim. If there is not enough room on the application, simple note "see attached" and complete the statement either hand written or typed and attached to the application. Ensure the veteran signs any attached statement.

Additionally, this page enables the veteran to state how they have coped with the condition and how it affects their daily lives.

**NOTE:** if a Power of Attorney (POA) is signing at any of the required signatures on the application, then a copy of the POA for Health and Finance, must accompany the application, when it is provided to VAC Charlottetown.

**Please Note:** Additionally, page three (3) also has a box in the upper right hand corner that asks about **Third Party Compensation**. This box is to be completed by the veteran. They need only check yes, if they receive compensation from a third party, for the condition for which they are making their application for, i.e. Hearing Loss.

**Page Four:** This page of the application is simply a signed statement by the client or their POA, stating that this information enclosed is true and accurate, to the best of their recollection.

**Release of Information Third Party Compensation:** This page of the application must be completed if the veteran, or their representative (POA), marked yes on page three of the application. This page must disclose the account/file number, and company name, of the individual for their claim. This will enable VAC to investigate the compensation received by the veteran, and then as necessary make adjustments to the level of compensation that they (VAC) may provide.

**Quality of Life Form (PEN 50e) (QOL)** The final form that the Veteran should complete in making an application for compensation to VAC, is that of the Quality of Life (QOL). This form **must** be completed for each and every condition the veteran is making application for. As an example, if they are making an application for Hearing Loss and Tinnitus, then they must complete two Quality of Life forms, as each condition is assessed separately, and therefore, each has its own degree of QOL compensation applied to it.



Protected when completed.

### Application for Disability Benefits

Family Name (required)		Given Name (required)	Middle Name
Country (required)	Mailing Address (required)		
Province/State (required)			
Postal Code/ZIP (required)	Date of Birth (yyyy-mm-dd)		
Date of application (yyyy-mm-dd)	Decision No.		

#### A - INFORMATION ABOUT APPLICANT

Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. <input type="radio"/> Miss <input type="radio"/> Other <input type="radio"/> Specify			
Which official language do you wish to use			
in oral communications?		English <input type="radio"/>	French <input type="radio"/>
in correspondence?		English <input type="radio"/>	French <input type="radio"/>
Which official language does your spouse/common-law partner wish to use			
in oral communications?		English <input type="radio"/>	French <input type="radio"/>
in correspondence?		English <input type="radio"/>	French <input type="radio"/>
Representative	Are you an employee of Veterans Affairs? Yes <input type="radio"/> No <input type="radio"/>		
Service number(s)			
Date of Enlistment/Enrolment (yyyy-mm-dd)		Service types (e.g., WWII, SDA, Reg. Forces, RCMP)	
Date of discharge (yyyy-mm-dd)	Place of discharge		
Country		Mailing Address (if different)	
Province/State	Postal Code/ZIP		
Home telephone No.	Business or alternate telephone No.	Extension	
Maiden name (if applicable)		Alias(es)	

PEN 923e (2012-04)



Ce formulaire est disponible en français.

Page 1 of 4





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Family Name (required)	Given Name (required)	CSDN ID	File No.
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**A - INFORMATION ABOUT APPLICANT...continued**

Marital status	
Married <input type="radio"/>	Single <input type="radio"/> Common-law <input type="radio"/>
Separated <input type="radio"/>	Divorced <input type="radio"/> Widow(er) <input type="radio"/>
If married, are you currently living with your spouse? Yes <input type="radio"/> No <input type="radio"/>	
If no, please provide reason	
If in a common-law relationship, have you lived together continually for the past year? Yes <input type="radio"/> No <input type="radio"/>	
If no, please provide reason	
Full name of spouse/common-law partner	Maiden name (if applicable)
Date of birth of spouse/common-law partner (yyyy-mm-dd)	Date of marriage or date common-law relationship began (yyyy-mm-dd)
Has your spouse/common-law partner ever applied for disability or survivor benefits from the Department of Veterans Affairs? Yes <input type="radio"/> No <input type="radio"/>	
If yes, provide:	File No. Service No.

**Information about your dependent children**

Full Name	Relationship	Date of birth (yyyy-mm-dd)	Attending school? Check one		*	Name and address of person with whom child lives if other than applicant
			Yes	No		
			<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	
			<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	
			<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	
			<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/>	

\*Please check if child is disabled.





Protected when completed.

Family Name (required)	Given Name (required)	CSDN ID	File No.
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**B - APPLICANT'S STATEMENT**

Disability being claimed	Have you ever received, are you in receipt of and/or are you making application for other compensation (e.g., Worker's Compensation; Third Party Liability) in respect of the claimed disability? (Please attach additional details if applicable.)	Yes <input type="radio"/>	No <input type="radio"/>
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How is the claimed condition related to service? (Give details of relevant illness/injuries during service, including dates and circumstances, as well as medical treatment received.) Please provide listing of military occupation codes (MOCs), duties and time spent in each occupation, if available.

Describe how you have coped with the claimed condition since your injury/illness. Have you had any medical attention for this condition? When and where was this medical attention received?

What effect has this claimed condition had on your everyday activities?

Name and address of physician(s)/consultant(s) seen for this condition from whom information can be obtained.





Protected when completed.

Family Name (required)	Given Name (required)	CSDN ID	File No.
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**C - DECLARATION**

The personal information provided on this form is collected under the authority of the *Pension Act*, the *Canadian Forces Members and Veterans Re-establishment and Compensation Act*, the *Royal Canadian Mounted Police Superannuation Act* and/or the *Royal Canadian Mounted Police Pension Continuation Act* for the purpose of administering benefits. Provision of the information is voluntary. Failure to complete any part of this form or submitting an incomplete form may result in delays.

The personal information collected on this form is protected from unauthorized disclosure by the *Privacy Act*. The *Privacy Act* also provides individuals with a right of access to personal information about themselves under the control of the Department, as well as a right to challenge the accuracy and completeness of their personal information and have it amended as appropriate.

For further information on the above statement, contact the Access to Information and Privacy Coordinator's Office, Veterans Affairs Canada, PO Box 7700, Charlottetown, PE, C1A 8M9. Please quote Personal Information Bank number VAC PPU 215 and/or VAC PPU 345.

If you are awarded a disability benefit and you are still-serving with the Canadian Forces (CF) or the Royal Canadian Mounted Police (RCMP), information will be shared with them, as required, to enable the medical authorities to fully assess and respond to your health needs. For CF members, the information that will be shared is limited to your name and service number, the medical code and medical disability description, and the effective date. For RCMP members, the basic information that is shared in this process is typically limited to your name, regimental number, home province, medical disability description, and assessment percentage level of disability.

Anyone who knowingly makes a false or misleading statement in an application is guilty of an offense.

I declare that the information provided here is, to the best of my knowledge, true and complete and knowing that it is of the same force and effect as if made under oath.

Applicant's signature	Date (yyyy-mm-dd)
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First Application   
Reassessment

File No.:	Decision No.:
Service No(s):	

**Quality of Life (QOL) Questionnaire**

Family name:	Given name:	Date of Birth:
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This Quality of Life Questionnaire is used by the Department to determine the effect of your claimed/entitled condition on various aspects of your life, such as: preparing meals, doing housework, repairs, shopping, using transportation, employment, recreational and community activities, personal relationships with family, friends and acquaintances and enjoyment of family and/or social outings and family arrangements.

If you require assistance to complete this form, a departmental staff member or another individual of your choice (e.g. a family member) may assist you.

A QOL Questionnaire should be filled out for each separate and distinct condition.

Indicate the claimed/entitled condition that impacts your QOL:

Select the activity that best describes the QOL effect from your claimed/entitled condition.

Activity	Yes	Yes with special aids or assistance	No	
1. I can do my usual household chores (prepare meals, laundry, etc.).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
2. I can shop and/or do errands.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
3. a) I can drive a vehicle.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
b) I can use public transportation.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
4. I am able to work in my regular occupation.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/> Retired
5. I can effectively participate in my usual and accustomed recreational and community activities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
6. I am able to maintain my usual day-to-day family responsibilities, including social outings.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
7. I am able to maintain my personal/social relationships. (e.g. family, friends, colleagues, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
8. (This question is optional. You do not have to answer.) My sexual (intimate) relationships are maintained.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/> N/A

If you have answered "No" to any of the above statements, please provide details:

**Contributing Conditions:**

Do you feel that the changes you have described in your lifestyle are entirely caused by your claimed condition(s) and/or entitled condition(s)?  Yes  No

Is there an impact from other non-entitled or non-claimed conditions?  Yes  No

Please explain:

The information you provide on this form is collected under the authority of the *Pension Act* or *Canadian Forces Members and Veterans Re-establishment and Compensation Act* for the purpose of assisting in the determination of the QOL rating which is added to the Medical Impairment rating to arrive at the Disability Assessment of a disability benefit. The information provided is protected from unauthorized disclosure by the *Privacy Act*. A copy of this completed form may be requested by writing to Access to Information and Privacy Coordinator's Office, Veterans Affairs Canada, P.O. Box 7700, Charlottetown, PE, CIA 8M9.

Client's signature	Today's date:
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## **APPLICATION FOR BENEVOLENT FUND ASSISTANCE**

**NOTE:** This section should be read in conjunction with the **Poppy Manual**, specifically the **Do's and Don't sections**.

Actions taken in dealing with Benevolent Fund /Poppy Trust Fund request should be made in concert with the policies defined in the Poppy Manual of The Royal Canadian Legion. Branch Service Officers are required to be a member of the Poppy Trust Fund Committee, this enables them to provide guidance, and address applications to the committee. In providing this support, they should have a standard application form for Benevolent Funds, for use at the branch level. Additionally, they should be familiar with the application form, and process used by the Provincial Service Bureau Officers, when dealing with requests for financial assistance. Therefore, it is recommended that the Benevolent Fund Application which should be used by all Service Officers, of The Royal Canadian Legion, be the form generated by Veteran Affairs Canada, this form is the VAC 1278.

A copy of the two pages, VAC 1278, application is located at the end of this section.

When either VAC or any other agency is approached by a veteran or their spouse/dependants, who are seeking financial assistance with the purchase of emergency medical services or other financial concerns as addressed by The Poppy Manual of The Royal Canadian Legion, they will prepare the application VAC 1278, and forward it to the appropriate Provincial Service Bureau. However, on occasion they may forward the application directly to one or more branches, at the same time, in an attempt to find a total resolution to the financial request.

Branch Service Officers receiving these requests should alert their respective Provincial Service Officer to ensure that this is a valid request. Branch Service Officers should only expect to receive request for funding support from either Ontario Command or from a Provincial Service Bureau Officer.

The VAC 1278 application is an excellent document, for financial disclosure, as it requires the applicant to show their monthly income, monthly expenses, and also list their debts by credit cards separately.

When an individual is making an application for emergency financial expenses, for medical or other financial issues that may arise, and are seeking assistance from Command Poppy Trust Funds, The Soldiers Aid Commission of Ontario, the Royal Canadian Naval Benevolent Fund, or from The Canadian Forces Personal Assistance Fund, they will be required to complete the VAC 1278. The application shall normally be sent to the respective Provincial Service Bureau Officer. In all cases an unpaid invoice or quote for the services ( ie dental work, glasses, hearing aids, roof repairs etc.) shall be provided, a copy of Proof of Service for the veteran. Individuals, who are clients of VAC, can have their service information confirmed through their VAC records. Legion clients can have their information confirmed by a Provincial Service Officer.

**NOTE:** only in an exceptional circumstance will reimbursement of funds be made for services that have already been received and paid for by the applicant.

The veteran may seek the assistance of a Branch Service Officer in the completion of their VAC 1278. In completing, the top section, of the application on the front page. The first information is the identification of the veteran, along with their service number, and their theater of service, if applicable.

This section is followed by the information of the spouse, or widow. Regardless of who the financial assistance is for, the veteran's information must always be placed in the top portion of the application. This information is followed by information on anyone else who may be residing with the applicant, and their contribution, if any, to the household. Branch Service Officers should record only the information as provided to them, if a family member resides with the applicant, and pays no rent, or provides no financial support into the household, then that is the information that should be provided.

The next block is information on any previous assistance provided, along with a brief description of the requirements for this request. This block is followed by any and all real estate owned or co-owned by the applicant. The final block on page one, deals with cash on hand, vehicle type and value, insurance value if any, and investments or bonds etc.

The back side of the application, or page two, deals with the credit cards. This area is for all credit cards, their balance and the monthly payment required. This page is then divided into two parts, Monthly Income and Monthly Expenses. When completing this area we are asking for all income that is brought into the house. If you encounter a situation where the husband and wife do not share their income, complete the application and note this, someone at Ontario Command or a Provincial Service Officer will deal with this issue. All interest income shall also be listed. The applicant should be informed that they may be asked to provide copies of their bank statement, to verify these numbers.

The second column is designed for expenses. The amount listed here should be what one can reasonably expect a single or married couple to spend to live from month to month. The approach to obtain a zero balance or to create a deficit for the expense to income columns will cause problems. List the honest amounts spent. Remember that a request for copies of monthly bill statements may be required to support numbers listed.

If the completed application is just for a level of assistance that can be managed at the branch level, then the application should be presented to the Poppy Trust Fund committee for approval. If it is being sent to a Provincial level then the application, along with the quotes/unpaid invoices, shall be sent to the appropriate authority. Additionally, a note from the Branch Service Officer on the amount that their Poppy Trust Funds can contribute should be noted on the application or in a covering letter.

The information presented should allow a Branch Service Officer to assist a veteran or their spouse/dependant with preparing a claim for submission to the Provincial Service Bureau Officer for furtherance to VAC for adjudication.

It provides a Term of Reference for a Branch Service Officer, outlining the possible duties that they are expected to undertake when they assume their responsibility for the position of Branch Service Officer.

Finally, as Branch Service Officers are involved with benevolent fund requests at branch level, and they are the recipient of requests for the branch to participate in larger funding from the Command level. They should have an understanding of the process used to arrive at the completion of a VAC 1278. In addition this form should be considered for all Branch Service Officers when completing applications for financial assistance, even at the branch level.

All of the above presented information is a guide to direct assistance for our veterans and their spouses. The Branch Service Officer must remember to read the Service Officers Booklet published on a bi-annual basis by Dominion Command. Additionally, they should be familiar with the contents of the Poppy manual, from Dominion Command that is updated as required.

Each Branch Service Officer has at their disposal the Zone Service Officer, and the District Service Officer. Major issues or concerns should be addressed to them first. Contact with their respective Provincial Service Officer will be on a case by case basis.



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Application to

- RCNBF     Legion Poppy Fund     CFPAF  
 VAC     WVD/FFMTF     OTHER

Office use only	VAC region
	D.O. or hospital

Use a blank sheet of paper if additional space is required for any of the following questions.

Trust fund (please specify)

Service identification of eligible member or former member						
Family name		Given name(s)		Service No.	Rank	Age
Enlistment date	Release date/CRA	Unit	Location (if serving)		POW Yes <input type="radio"/> No <input type="radio"/>	
Trade	Service outside Canada or other military service	Location	From	To		
CFSA (if serving) \$		Location	From	To		
If civilian	Name of employer		Address of employment			

Family particulars					
Name of spouse/common-law partner (include maiden name if applicable)		Age	Service unit (if applicable)	From	To
Home address of applicant			Telephone No. of applicant		

Particulars of other persons residing in household (do not include applicant or spouse/common-law partner)					
Name		Relationship to applicant		Age	Single or date married
Occupation or school	Monthly income	Monthly contribution to household \$		Health	
Name		Relationship to applicant		Age	Single or date married
Occupation or school	Monthly income	Monthly contribution to household \$		Health	

Summary		
State previous assistance (name of fund)	Date	Amount \$
Problem and type of assistance requested		
Remarks, special instructions and recommendations of interviewer		

Real estate or business owned by applicant and/or spouse/common-law partner					
Name(s) of registered owner		Location	Name(s) of registered owner		Location
Description		If private dwelling, state number of rooms	Description		If private dwelling, state number of rooms
Cost price	Current value	Amt. of mortgage/loan	Cost price	Current value	Amt. of mortgage/loan

Assets of applicant and spouse/common-law partner							
Assets		Value (\$)		Assets		Value (\$)	
Cash on hand				Insurance - Surrender value			
Furniture, Tools, Equipment				Bonds - Other investments			
Auto - Year	Make			Other assets			
<b>A Total value</b>		\$		<b>+ B Total value</b>		\$	
						= \$	

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Debt							Office use only
I certify that all debts owing by me and/or my spouse/common-law partner are as follows: (attach up-to-date statements)							
Name and address of creditors	Articles or services obtained	Security for debt held by creditor	Date incurred	Original amount (\$)	Repayment rate (\$)	Balance owing (\$)	
<b>Total</b>							

Monthly Income		Monthly Expenses (Exclude debt payments)		
Gross wages of applicant (if civilian)	\$	Food and personal care	\$	
Pay of rank and trade (if serving)	\$	Rent	\$	
Foreign service	\$	Mortgage (including interest)	\$	
Other service allowance	\$	Property taxes	\$	
Family/youth allowance	\$	Clothing	\$	
Wages of spouse/common-law partner	\$	Insurance	Life	\$
Contributing wage earning	Children residing at home		Medical	\$
	Children not residing at home		Hospital	\$
	Rents from tenants and boarders		Auto	\$
			Property	\$
Pension or other annuities (specify)	\$	Electricity, water, telephone	\$	
Other income (specify)	\$	Fuel (average monthly)	\$	
		Income tax	\$	
		Transportation/Car expenses	\$	
		Pension plans	\$	
		Alimony	\$	
		Mess dues (if serving)	\$	
		Recreation	\$	
		Continuing medical expenses	\$	
		Other (specify)	\$	
<b>A Total income</b>	\$	<b>B Total expenses</b>	\$	
<b>B Total expenses</b>	\$			
<b>A - B = Monthly surplus</b>	\$			
<b>Monthly deficit</b>	\$			
		State total family gross income for past 12 months (attach pay guides or pay information slips)	\$	

The information you provide on this form is collected under the authority of the *Department of Veterans Affairs Act*, the *Assistance Fund Regulations* and/or the *War Veterans Allowance Act* for the purpose of determining eligibility for a cash grant from the Assistance Fund, trust funds and/or benevolent funds. Provision of the information is voluntary. Failure to complete any part of this application or submitting an incomplete application may result in delays.

The personal information collected and used is protected from unauthorized disclosure by the *Privacy Act*. The *Privacy Act* provides clients with a right to access their own personal information which is under the control of the Department. The *Privacy Act* also affords clients the right to challenge the accuracy and completeness of their personal information and have it amended as appropriate.

For further information on the above, you can contact the Access to Information and Privacy Coordinator's Office, Veterans Affairs Canada, PO Box 7700, Charlottetown, PE, C1A 8M9 and by quoting Personal Information Bank number VAC PPU 045.

I solemnly declare the above information is true. I hereby consent to the release of any personal information, which, in the opinion of the benevolent/welfare or trust fund representative, may be deemed necessary in the investigation of my case.

Applicant's signature <b>X</b>	Spouse's/common-law partner's signature (if readily available) <b>X</b>	Date
-----------------------------------	--	------

<b>Veterans Affairs Head Office use only</b>	Application approved <input type="checkbox"/>	If application declined, reason for declining	
	Application declined <input type="checkbox"/>		
	Committee members' recommendations and signature		Date
	<b>X</b>		
	Committee member's signature of approval <b>X</b>		Date
Committee member's signature of approval <b>X</b>		Date	

<b>Office use only</b>	Name of interviewer (Please print)	Position of interviewer	
	Location	Phone number ( ) -	
	Signature of interviewer <b>X</b>	Date	

## THE SUPPLY SYSTEM FOR LEGION ITEMS

Branches may obtain Legion products from both Dominion Command and Ontario Command. Dominion Command provides all regalia items and various and sundry consumer items through the central supply system. The current catalogue and products available can be found in the supply section of the Dominion Command web site at [www.legion.ca](http://www.legion.ca). These products are ordered directly from Dominion Command at 1-888-301-2257 and through the following email address: [supply@legion.ca](mailto:supply@legion.ca). Legion Branches and Members can shop on line at [www.shop.legion.ca](http://www.shop.legion.ca). Past officer medals are also ordered from Dominion Command and the 'APPLICATIONS FOR AWARDS IN RECOGNITION OF PAST SERVICE' must be completed and authorized by Branch Officers on the form and then retained on branch files. Provincial Command approval is not required for past officer awards and these forms do not need to be sent to Dominion Command.

Ontario Command still produces a number of items and issues a small price list on a regular basis. All items on the **Ontario Command Supplies** price list are ordered from Ontario Command at 905-841-7999 (phone) and [resale@on.legion.ca](mailto:resale@on.legion.ca) and 905-841-9992 (fax).

Please refer to Chapter 1 (The Branch) in this manual for information relating to the Legion Trademark Policy

### Manuals for Legion Officers

All of the following manuals and publications may be obtained from Dominion Command or the Ontario Command supply departments at various costs. These manuals are frequently updated and it is important to ensure that the branch is always in possession of the most current edition. Branches are advised when new material becomes available. The decisions made at each Dominion/Provincial Convention will quickly make some of the information in these manuals out-of-date. It is, therefore, important to review carefully and to be aware of the changes contained within the Convention Reports, as manuals (other than the By-Laws) are not necessarily reprinted immediately following conventions. Some of these manuals are available in a 'read only' format on the Dominion website – [www.legion.ca](http://www.legion.ca). or on the Ontario Command website [www.on.legion.ca](http://www.on.legion.ca) The following is a list of some of the manuals you will need at branch level. Those denoted by (D) are ordered from Dominion Command and by (O) from Ontario Command. Publications marked with an asterisk will be reprinted in the near future

<u>Manual</u>	<u>Edition</u>	<u>Item #</u>
An Act to Incorporate The Royal Canadian Legion (D)	1981	700100
The General By-Laws of The Royal Canadian Legion (D)	2012	700101
The General By-Laws of the Ontario Provincial Command (O)	2011	E33101
Ladies Auxiliary By-Laws (O)	*	E33105

Ritual and Insignia Manual (D)	2011	700103
Honours and Awards (D)	2011	700214
Rules of Procedure for Legion Meetings (D)	2007	700105
Sports Guide (D)	2012	700249
Poppy Manual (D)	2011	200134
Membership Manual (D)	2011	700340
Guidelines for submitting snapshots & branch news (D)	2008	
Ontario Command – Legion Officers Manual (O)	2012	E33102
Branch Advisory Manual - Financial Management Practices (O)	2012	E33111
Financial Review Committee Guidelines (O)		
Legion Supply Catalogue Price List (D)		800622
Public Relations Manual and Speakers Guide (D)	2003	700315
Speakers Guide and Fact Book (D)	2007	200823
Service Officer Manual (D)	2010	700319
Chaplain’s Manual (D)	2012	700321
Real Property Development Handbook (D)	2006	800992

***The above list is not a complete list of all publications but a guide for some of the most essential branch materials. A complete Youth Education Kit and Poppy Kit are forwarded to the branches in July of each year by Ontario Command.***

## VISITATION POLICY

Branches and Districts may extend invitations to a senior command officer on the approved command visitation form. The District Commander must approve all invitations from branches and his district for a command officer to attend a branch function or a district convention. Invitations for branch functions are limited to the following:

- (a) November 11<sup>th</sup> Remembrance services and dinners; and
- (b) Anniversary celebrations commencing with the 10th year and at five (5) year intervals thereafter; and
- (c) Presentation of branch charters. It is the policy of the command that the Provincial President be present; and
- (d) Official opening ceremonies of new branch property; and
- (e) Legion Week celebrations; and
- (f) Special presentations, i.e., M.S.M. awards, ensure that awarding officer has all of the information and details available to him at the time of presentation. ( The presentation of a Life Membership award is the responsibility of the District Commander); and
- (g) An event of historical interest or local celebrations in which the branch plays a leading part:
  - i. The branch may invite, as speaker and guest of honour, a command officer, providing such request is reasonable (as to travel) and the invitation is to be submitted through your District Commander, who will indicate his approval or otherwise.
  - ii. The services of your District and Deputy District Commanders should be utilized for representation at zone meetings.
  - iii. The command will provide the services of an elected command officer at district conventions, if requested.
  - iv. A specific date is to be noted on the visitation form; and
- (h) A provincial officer may attend a special branch function each year, which may not be in accordance with the current policy, provided the details are submitted to the Provincial President for his approval.

Invitations should not be extended to elected provincial officers, unless they all within the above noted terms of reference. Additionally, the acceptance of an invitation to a provincial officer presumes that he is the main speaker for the function.

Also, invitations should not be extended with reference to Honours and Awards functions, unless they fall within the terms of items (b) and (f).

A branch may not receive a visit from a command officer more than once in each year, unless the second request for a visit is considered to be for a special event, i.e., the presentation of a Meritorious Service Medal.

Provincial Officers are not permitted to accept invitations for the following functions:

- (a) Zone conventions, meetings and Drumhead Services;
- (b) Conducting branch elections or installations. (The responsibility of the Zone Commander).

Invitations extended by branches to former officers shall be on a direct personal basis and at the expense of the branch concerned.

**NOTE:** All invitations are to be scrutinized by the District Commander in question, in order to determine the merit of same and indicate thereon, his approval or otherwise.

The proper reception of Command and District Officers is outlined in the “Protocol” section of this manual.

Visitation forms (sample on next page) are available from the Command Office and must be completed by branches in every case where it is proposed to invite a command officer to a branch function. Once completed, the form must be forwarded to your District Commander for approval before it is sent to the command office.

### **Dominion Officers**

Visitation forms (sample on next page) are available from the Command Office and must be completed by branches. Once completed, the form must be forwarded to Ontario Command. Invitations to a Dominion Command Officer must be approved by the Provincial Command prior to its submission to Dominion Command. Unless exceptional circumstances prevail, Ontario Command will decline to approve an invitation to a provincial officer if a dominion officer has already been invited and accepted. If approval has already been given for a provincial officer, a further invitation for a dominion officer will be declined.

## ONTARIO PROVINCIAL COMMAND REQUEST FOR A VISIT BY A COMMAND OFFICER

If your branch wishes to invite an Officer of Ontario Command to attend a Branch function, the following details are required: It is of the utmost importance this form be **completed and mailed** to your **District Commander** immediately, in order that priority consideration may be given to your request.

An Officer of the Command, Comrade			
Is invited to attend Branch/District function			
	To be held at Branch No.		
Date:	Time:		
The Command Officer will be the main guest		Yes	No
The names of other Legion officers who may be in attendance	1)		
	2)		
	3)		
	4)		
The Command Officer will be the main speaker?		Yes	No
a) How long do you wish him to speak?			
b) If you have a preference of subject matter, please indicate			
c) Will there be other speakers?		Yes	No
d) List other duties you wish him to perform during his visit			
Is there an alternative date on which your function may be held?		Yes	No
Alternative Date			
If the above officer is not available on this date, order of preference for alternate:			
i)			
ii)			
iii)			
<b>Dress</b>	Legion Officer		
<b>Medals</b>	Service	Miniature	Legion
<b>Dress</b>	Ladies		
Signature:		Branch Name:	
Branch Secretary			
Branch No.	Branch Address:		
Signature:		Date:	
Approved by District Commander			

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