

**GENERAL BY-LAWS OF  
THE LADIES' AUXILIARY  
to the  
ONTARIO PROVINCIAL COMMAND**



As Amended to April 2023

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# THE GENERAL BY-LAWS OF THE LADIES' AUXILIARY TO THE ONTARIO PROVINCIAL COMMAND

## ARTICLE I – INTERPRETATION

101. Unless the context otherwise requires or is otherwise stated within these By-Laws:
- (1) **ACT (THE)** shall mean The Act to Incorporate The Royal Canadian Legion. (Statutes of Canada, 1948, Chapter 84, as amended).
  - (2) **ADMINISTRATIVE COMMITTEE** shall mean the Administrative Committee of The Ladies' Auxiliary to the Ontario Provincial Command. **AUXILIARY** shall mean a Ladies' Auxiliary to a Branch.
  - (3) **AUXILIARY** shall mean a Ladies' Auxiliary to a Branch.
  - (4) **BRANCH** shall mean a Branch of The Royal Canadian Legion within the jurisdiction of the Ontario Provincial Command.
  - (5) **CHARTER** shall mean the document granted by Dominion Command on the formation of a Ladies' Auxiliary to a Provincial Command or a Branch.
  - (6) **COMMAND** shall mean the Ladies' Auxiliary to Ontario Provincial Command.
  - (7) **CONVENTION** shall mean the Convention of the Ladies' Auxiliary at which the Accredited Delegates assemble in a General Meeting at a time and place as specified by the Administrative Committee.
  - (8) **EXECUTIVE COMMITTEE** shall mean the Executive Committee of an Auxiliary.
  - (9) **EXECUTIVE COUNCIL** shall mean the Executive Council of the Command.
  - (10) **FISCAL YEAR** shall be from June 1<sup>st</sup> to May 31<sup>st</sup>.
  - (11) **LADIES' AUXILIARY** shall mean Provincial and local bodies of women who assist and promote the purposes and objects of The Royal Canadian Legion and shall encompass the Command and all Auxiliaries within the Provincial Command.
  - (12) **LEGION** shall mean The Royal Canadian Legion.

- (13) **MAY** when used, will mean permissive.
  - (14) **MEMBER** shall mean a female person who has been duly admitted in the Ladies' Auxiliary.
  - (15) **MEMBER IN GOOD STANDING** means a member who has been initiated and who is not under suspension or is not in arrears in payment of her dues.
  - (16) **PROVINCIAL COMMAND** shall mean the Ontario Provincial Command of The Royal Canadian Legion.
  - (17) **SECRETARY-TREASURER** shall be included when Secretary or Treasurer is mentioned.
  - (18) **SHALL** when used, will mean imperative.
  - (19) **TERM OF OFFICE** for the Officers of Command and its Zone shall be from the conclusion of one Convention. The Term of Office for Auxiliaries shall be for a period of one (1) year from June 1<sup>st</sup> to May 31<sup>st</sup>. Should the Branch Regulations of a Branch make provision for a two (2) year term of Office, the Auxiliary, with their Branch's permission, may choose either a one (1) or two (2) year Term of Office.
  - (20) **ZONE CONVENTION** shall mean the Accredited Delegates assembled in a General Meeting at a time and place within the Zone as specified by the Zone Council.
  - (21) **ZONE** shall mean the Auxiliaries in a specified area within the Provincial Command which have been formed into a unit for administrative purposes by Provincial Command.
  - (22) **ZONE COUNCIL** shall mean the Executive Council of the Zone.
102. These By-Laws, together with any amendments enacted thereto, constitutes the General By-Laws of the Ladies' Auxiliary to The Ontario Provincial Command.

## ARTICLE II - ORGANIZATION

### **MISSION**

201. The function of each Auxiliary shall be:
- (1) To lend assistance to its Branch.
  - (2) To help veterans and their dependents any way possible.
  - (3) To aid and assist with the Annual Poppy Campaign

### **JURISDICTION**

202. The Command Auxiliary shall be under the jurisdiction of the Provincial Command.
203. Each Auxiliary shall be under the jurisdiction of their Branch provided that the By-Laws and Regulations of said Branch are in accordance with the General By-Laws of Dominion and Provincial Commands. Such jurisdiction, including written requests for financial assistance made to Auxiliaries, shall be exercised by a General Meeting of the Branch.

### **GENERAL**

204. The Command Auxiliary Territory shall include all Auxiliaries within the Provincial Command.
205. The Corporate Structure of the Ladies' Auxiliary as created by The Act currently qualifies Auxiliaries to Commands and Branches as non-profit organizations under the Income Tax Act of Canada.
206. The primary unit of the Ladies' Auxiliary shall be the Auxiliary to a Branch.
207. All funds raised under the auspices of The Royal Canadian Legion Ladies' Auxiliary shall be used to further the Legion's projects and in accordance with these By-Laws and the General By-Laws of Dominion and Provincial Commands.
208. All funds raised under the authority of a Lottery License issued to any level of the Ladies' Auxiliary shall be deposited in a lottery specific account and the control of the funds shall remain with the licensee.
209. The Executive of the Command or an Auxiliary, as the case may be, shall be responsible for ensuring that all Officers, employees and any other authorized member handling funds shall be adequately bonded.



210. All business records including meeting minutes and financial statements at any level of the Ladies' Auxiliary may be electronically generated and kept in that format provided that an electronic back-up is kept in a separate location for safekeeping. Further, a printed copy of these records must also be maintained for present and future reference.

### **POLICY STATEMENTS**

211. No member of the Ladies' Auxiliary shall make public any statement, oral or written, as to the policy of the Ladies' Auxiliary, in connection with any question or matter, unless such policy has been declared:
- (a) In the case of the Command, by Provincial Command; or
  - (b) In the case of an Auxiliary, by the Branch.

### **AUXILIARY CHARTER APPLICATION**

212. (1) Upon the approval by the membership at a General Meeting of the Branch of an application supported and submitted on behalf of twelve (12) or more female persons, who have paid the present per capita tax/dues, the Branch Secretary shall forward the application to Provincial Command.
- (2) The Provincial Command may, after receiving an application, request an investigation by the Command and the results of same may determine if the application for a Charter is approved or declined.
- (3) If the Charter Application is approved, the Command arranges the first meeting of the new Auxiliary at which time it performs the initiations of new members and conducts the election and installation of the Executive Committee of the new Auxiliary.
- (4) The Command during the aforementioned meeting ensures that motions are made and approved respecting the number of Vice-Presidents to be elected; the amount of dues payable by members; the authorized signing Officers, the financial institution to be used for banking and any other matter necessary to launch the new Auxiliary
- (5) The money collected from the original group of applicants is subsequently conveyed to the new Treasurer for deposit in an account established by the new Auxiliary.

## **AUXILIARY CHARTER SURRENDER**

213. The Command Auxiliary may request the surrender of a Charter when the total number of members in good standing is not sufficient to fill the Officer positions and establish a meeting quorum as set forth elsewhere in these By-Laws.
214. The Auxiliary may, after a motion made and approved by two-thirds (2/3) of those members in good standing present at a Special General Meeting, recommend in writing to the Branch that it surrender its Auxiliary Charter.
215. When a Branch surrenders its Charter, or such Charter is suspended, cancelled or revoked, the Charter of its Auxiliary shall be simultaneously surrendered or suspended, cancelled or revoked.
216. Any member affected by the surrender of their Auxiliary Charter may transfer to another auxiliary.
217. The assets of the Ladies' Auxiliary shall be used to discharge any debts and liabilities of such Auxiliary upon the cancellation of its Charter and any surplus thereof shall be vested equally between the Branch and the Ladies' Auxiliary Provincial Command.
218. Every Auxiliary in which the membership has fallen below four (4) members and wishing to retain its Charter must pay an annual per capita/administrative fee of \$50.00 to the Command Auxiliary while the situation exists.

## **CHANNEL OF COMMUNICATION**

219. The normal channel of communication shall be from a member to her Auxiliary President and from the Auxiliary President to the Zone Commander and from the Zone Commander to Command.

## **QUALIFICATION TO VOTE AND/OR HOLD OFFICE**

220.
  - (1) Only members in good standing shall have the right to vote or hold Office within the Ladies' Auxiliary.
  - (2) No member shall have the right to cast more than one vote on any resolution, motion or other matter requiring a vote at any Convention or Meeting of the Ladies' Auxiliary regardless of the number of Offices or positions held by the member.
  - (3) No member shall be nominated for any Office in the Ladies' Auxiliary unless present or having signified in writing a willingness to accept such

Office, if elected, and signed by a member in good standing. (**NOTE:** *Any letter of intent shall only be tabled once the member has been duly nominated for the Office.*)

- (4) All Auxiliary Officers, whether elected or appointed, shall have the right to vote at Executive Committee Meetings.
221. (1) Any member who is a full time, regular part-time or casual employee of the Command or any Auxiliary, who receives directly or indirectly any salary or wages for or on account of any service rendered to the Command or an Auxiliary, shall not be eligible to hold any Executive position in the Ladies' Auxiliary.
- (2) Members employed by Provincial Command or a Branch may, at the discretion of the Provincial Command or the Branch as the case may be, hold an Office in the respective level of the Ladies' Auxiliary.
  - (3) For the purposes of this Article, a member who provides unpaid volunteer service to a Branch is not, by virtue of accepting tips from paying customers, considered to be receiving a salary or wages.
222. Where any member of the Executive of the Command or an Auxiliary transacts business or performs any service for which a fee or commission is paid by the Command or an Auxiliary, the Executive Office or position held by such member shall immediately be forfeited and become vacant, unless such transaction has been approved in advance, such approval to be given by the Executive of the Command or an Auxiliary as the case may be.
223. No member shall simultaneously hold more than one elected Office at the same level within the Ladies' Auxiliary.
224. (1) The member who is President of the Command or an Auxiliary at the end of the elective term shall become the Immediate Past President on the election of a successor.
- (2) A President who resigns before the completion of her Term of Office is not the Immediate Past President.
  - (3) In the event of the death, resignation, 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 Executive of the Command or Auxiliary, as the case may be.

## **BADGES AND INSIGNIA**

225. Dominion Command shall establish all official badges and other insignia, official colours, official headgear and official dress of the Legion.
226. No insignia, badge or other design shall be placed or worn on the Branch or Command Legion colours or on the official headgear or official dress of the Legion unless the said insignia, badge or design has first been authorized by Dominion Command.
227. Members of the Ladies' Auxiliary, Past Presidents, Honorary Officers, Life Members, and other members who have rendered service to the Legion may wear badges of such design as have been approved by Dominion Command.
228. All membership badges and Legion insignia remain the property of the Legion and may only be worn by members in good standing.

## **ARTICLE III – MEMBERSHIP**

301. Membership is open to any female Canadian citizen or Commonwealth subject of federal voting age who supports the purposes and objects of the Legion and undertakes to support the activities of the Legion especially the annual Poppy Campaign.
302. No anarchist, communist or fascist shall be permitted to become a member, nor shall any person who advocates the destruction by force of the duly constituted Government of Canada, or any person proven to advocate, encourage or participate in subversive action or subversive propaganda, be permitted to become a member. Dominion Command may define the terms anarchist, communist, fascist and subversive.
303. Any person prohibited by the preceding section from being a member of the Ladies' Auxiliary, and who is a member of the Ladies' Auxiliary, shall upon this fact being proved by trial, or admitted by her, forthwith and without further process, cease to be a member.
304. No member shall simultaneously hold membership in more than one Auxiliary.
305. Any member suspended, leaving or expelled from membership in the Ladies' Auxiliary, shall have no claim upon any level of the Command, or any Auxiliary or against any of its Officers or Officials.

## **APPLICATIONS**

306. Applications for membership shall be made in writing on a form approved and supplied by the Command and shall be signed by the applicant, proposer and seconder. The proposer and seconder shall be members in good standing of the Auxiliary.
307. Applications for membership shall be submitted by the applicant to the Auxiliary together with the enrolment fee as provided for elsewhere in these By-Laws.
308. Applications for reinstatement shall be in writing and signed by the applicant who shall give all information as to their former membership and the circumstances under which such membership was terminated. A former member may apply to reinstate in any Auxiliary.
309. An Auxiliary upon receiving an application for membership or reinstatement shall satisfy itself as to the correctness of the facts contained in the application and shall thoroughly investigate the applicant's character, evidence of eligibility, and suitability for membership in the Ladies' Auxiliary. The findings shall be reported to the General Meeting of the Auxiliary at which the application is presented for approval.
310. All applications shall be presented to a General or Special General Meeting of the Auxiliary for approval or otherwise by secret ballot and no subsequent approval is required from the Branch.
311. All approved applicants for original membership shall be initiated at a General Meeting of the Auxiliary. Members reinstating do not have to be re-initiated.
312. No Auxiliary shall accept a membership or transfer application from any member currently under suspension or from any person who has been expelled from the Ladies' Auxiliary.

## **TRANSFERS**

313. A member in good standing or any Life Member may transfer membership from one Ladies' Auxiliary to another provided that such member is eligible for membership in the new Auxiliary in accordance with provisions found elsewhere in these By-Laws.
314. The transfer application form shall be submitted to the Auxiliary to which transfer is being sought and this Auxiliary shall initiate the transfer.
315. An Auxiliary upon receiving an application for transfer shall satisfy itself as to the correctness of the facts contained in the application and shall thoroughly investigate the applicant's character, evidence of eligibility, and suitability for membership in the Ladies' Auxiliary by contacting the member's previous Auxiliary. The

findings shall be reported to the General Meeting of the Auxiliary at which the application is presented for approval.

316. All applications for transfer shall be presented to a General or Special General Meeting of the Auxiliary for approval or otherwise by secret ballot and no subsequent approval is required from the Branch.
317. Notwithstanding the provisions found elsewhere in these By-Laws, an Auxiliary has the right to refuse permission for a member to transfer to that Auxiliary

## ARTICLE IV – CONVENTION

### **AUTHORITY**

401. The Convention shall be the supreme authority within the Command Auxiliary.
402. The Convention is subject to the approval of Provincial Command.

### **WHEN HELD**

403. The Convention shall meet once every two (2) years upon a date not later than 30 months after the adjournment of the preceding Convention; provided that with approval of two-thirds of the members present at a properly convened meeting of the Council, a three year interval may be allowed between the Conventions. In emergencies, a Convention may be called on any date determined by the Council.
404. A Convention Notice shall be distributed to all Executive Council Members and Auxiliaries' in sufficient advance time to facilitate receipt by all at least one (1) month prior to the opening of the said Convention.

### **QUORUM**

405. Before a Convention may be opened, there shall be present duly accredited representation from at least ten (10%) percent of Auxiliaries in good standing within the Command at the time of such Convention.
406. A quorum for the transaction of business at any Convention shall be the presence on the floor of the Convention Chamber of at least twenty-five (25%) percent of the accredited representatives registered for that Convention, provided that if it is shown at any time during the Convention there is not a quorum, the Chair will adjourn such Convention from time to time for the purpose of obtaining such quorum.

## DELEGATES

407. The Convention shall consist of Accredited Delegates from all Auxiliaries along with the members of the Executive Council and Past Provincial Presidents of the Command.
408. (1) For the purpose of determining the number of Accredited Delegates which an Auxiliary shall be entitled to send to the Convention, the membership strength of that Auxiliary shall be the number of fully paid-up members on the files of the Command at the end of the last preceding calendar year.
- (2) Each Auxiliary shall be entitled to certify one Accredited Delegate for the first 25 members or fraction thereof, a second Accredited Delegate for the second 25 Members or fraction thereof and one additional Accredited Delegate for each additional 50 members or fraction thereof.
- (3) Any Auxiliary having received its Charter during the year preceding the Convention shall be entitled to one Accredited Delegate.
- (4) Every member, to facilitate being registered as an Accredited Delegate, must produce her current membership card, if requested, and provide a letter of credentials signed by the President and Secretary of her Auxiliary.
- (5) All delegates shall only be registered upon the payment of a registration fee set by the Administrative Committee. A delegate may pay by cash or with an Auxiliary cheque to cover her registration fee.
409. All Accredited Delegates shall be expected to attend all sessions of the Convention.
410. All Delegates shall wear their Delegate's Badge while attending sessions in the Convention Chamber.
411. Application for Delegate registration and reservation must be received by the Command Auxiliary no later than a date set by the Administrative Command.
412. Any member in good standing or any Life Member may register as an Observer Delegate and may be privileged to participate in discussion but shall not be entitled to vote.
413. The Committee on Credentials may also register Guest Delegates.
414. The Command shall not be responsible for the expenses of Auxiliary Delegates to Convention.

## **ORDER OF BUSINESS**

415. The following Order of Business shall govern at the Convention:

- (1) Call to Order by the Provincial President.
- (2) Opening Ceremonies.
- (3) Receipt of greetings, welcome and replies thereto.
- (4) Chair assumes her duties.
- (5) Motion for Agenda Deviation. (If necessary)
- (6) Report of the Provincial President.
- (7) Reports of the Secretary-Treasurer and the Auditor.
- (8) Nomination and Election or Reaffirmation of Auditor.
- (9) Reports of Convention Committees.
- (10) Nominations for Provincial Officers.
- (11) Election of the Senior Elected Officers in the following order:
  - (a) Provincial President.
  - (b) Provincial First Vice President.
  - (c) Provincial Second Vice President.
  - (d) Provincial Third Vice President.
  - (e) Provincial Chair
- (12) Installation of Provincial Officers.
- (13) Unfinished Business.
- (14) General and New Business.
- (15) Motion for Adjournment.
- (16) Closing Ceremonies.

## **CONVENTION COMMITTEES**

416. (1) The Provincial President shall appoint the following Convention Committee Chairs in sufficient time prior to the assembly of the Convention to enable them to adequately perform their duties:
- (a) A Committee on Arrangements.
  - (b) A Committee on Constitution and Laws.
  - (c) A Committee on Credentials.
  - (d) A Committee on Resolutions.
  - (e) A Committee on Ways and Means
- (2) Other Convention Committees may be appointed in like manner as may be required.
  - (3) The majority of any Convention Committee shall constitute a quorum for the transaction of business for that Committee.
  - (4) All reports of Convention Committees shall be presented in writing and signed by the appropriate Chair.
  - (5) Unless otherwise directed, all Convention Committees shall be deemed discharged upon the adjournment of the last session of the Convention.



## **DUTIES OF CONVENTION COMMITTEES**

417. (1) The Committee on Arrangements shall make all the necessary arrangements for the holding of the Convention.
- (2) The Committee on Constitution and Laws shall report to the Convention all proposed amendments to these By-Laws.
- (3) The Committee on Credentials shall examine the credentials of all Delegates to ensure that those seeking accreditation are members in good standing and entitled to represent their respective Auxiliary and shall report upon the credentials filed by said members to the Convention.
- (4) The Committee on Resolutions shall receive all resolutions for amendment or consolidation and report to the Convention.
- (5) The Committee on Ways and Means shall examine or cause to be examined the financial standing of the Command and recommend the per capita tax to be paid by members. This Committee shall be chaired by the Immediate Past Provincial President.
- (6) (a). The Secretary-Treasurer shall prepare the Agenda and Convention Procedure Report subject to the approval of the Provincial President and Chair respectively and it shall be contained in the Proceedings Booklet.
- (b). The Agenda shall provide for the presentation of the report of the Constitution and Laws Committee prior to the Nomination of Officers and for the presentation of the Report of the Ways and Means Committee prior to the Election of Officers.
- (c). The rules of procedure adopted by the latest Convention shall form an integral part of this By-Law and when applicable, shall govern at all meetings of the Command and its Zones.

## **RESOLUTIONS**

418. (1) Every Auxiliary, the Command and any Committee of the Command may submit resolutions.
- (2) All resolutions for consideration by the Convention must be received by the Secretary-Treasurer not later than 112 days prior to the opening day of the Convention and a confirmation receipt will be forwarded to the Auxiliary in a timely manner.
- (3) The Secretary-Treasurer shall forward all resolutions to the Chair of the

Committee on Resolutions for her action.

- (4) The Committee on Resolutions shall only be required by the Secretary-Treasurer on or before the date as noted elsewhere in these By-Laws.
  - (5) Resolutions received for consideration at the pending Convention by the Secretary-Treasurer after the prescribed date shall be forwarded to the Administrative Committee for their approval or otherwise.
  - (6) (a) The forgoing subsection does not preclude the presentation of an emergency resolutions, approved by her Auxiliary, and placed before the Convention by an Accredited Delegate, subject to the approval of a two-thirds majority of those in attendance and present in the Convention Chamber.  
  
(b) Only those resolutions dealing with matters that require immediate action and cannot be dealt with as prescribed elsewhere in these By-Laws will be considered.
  - (7) A copy of the Proceedings Booklet containing all received resolutions for the Convention shall be forwarded to each Auxiliary at least 30 days prior to the Convention.
419. (1) In the event that any resolution duly submitted for the consideration of the Convention has either not been considered or has been non-concurred, any Accredited Delegate may make a motion from the floor to open discussion on the said resolution emanating from her own Auxiliary or an Auxiliary within her Zone.
- (2) A vote in favour of the aforementioned motion must be received from two-thirds of the members present and entitled to vote prior to any discussion taking place respecting the subject resolution.

## **NOMINATION AND ELECTION OF PROVINCIAL OFFICERS**

420. A Nomination Chair and an Election Chair shall be appointed by the Provincial President and approved by the Administrative Committee in advance of the Convention.
421. The Officers, excluding the Immediate Past Provincial President, shall be elected at the Convention as provided for elsewhere in these By-Laws.
422. The procedure for nominations shall be as follows:

- (1) Nominations shall be made orally by Accredited Delegates from the floor of the Convention Chamber for each elective office in order of precedence as set out elsewhere in these By-Laws.
- (2) In addition to the names placed in nomination for the office of President and the three Vice-Presidents, those who stand and fail to be elected to the next higher office shall be considered nominated for the next lower office respectively.

423. The procedure for elections shall be as follows:

- (1) The Election Chair, prior to the election, shall call each nominee in the reverse order of nomination and request that she rise and state her intention.
- (2) The election for each Office shall be by secret ballot with the candidate receiving an overall majority of the votes cast being declared elected.
- (3) When more than four candidates are running for the same Office and no candidate is elected, the names of the candidates receiving the two lowest total number shall be deleted from subsequent ballots for the said Office.
- (4) When four or less candidates are running for the same Office and no candidate is elected, the name of the candidate receiving the lowest number of votes on a single ballot shall be deleted from subsequent ballots for the said Office.
- (5) Acclamation to any Office shall eliminate the need for an election to the said Office.

## **ARTICLE V - EXECUTIVE COUNCIL**

501. The composition of the Executive Council shall be as follows:

- (a) Provincial Senior Elected Officers.
- (b) Zone Commanders.
- (c) Provincial Sports Officer

## **POWERS AND DUTIES OF EXECUTIVE COUNCIL**

502. The Executive Council shall have the powers to perform and carry to completion work entrusted to it by the last Convention or these By-Laws.

503. The Executive Council shall have the power to fill all elective vacancies of Senior Elected Officers between Conventions.
504. The Executive Council shall have the power to supply any omissions of the Convention.
505. The Executive Council shall carry on the general business of the Command in any manner not inconsistent with the expressed will of the Convention.
506. The Executive Council shall approve all Manuals and Guidelines created in relation to matters respecting the Ladies' Auxiliary to the Ontario Provincial Command prior to their becoming effective and such Manuals and Guidelines shall be consistent with policies and procedures of the Legion and Provincial Command.

### **MEETINGS**

507. The Provincial President shall call meetings of the Executive Council at such times as she deems necessary with at least one meeting being held immediately prior to the Convention.
508. Notice of the date and time of all meetings shall be sent to all Executive Committee Members at least two (2) weeks prior to the date of the said meeting.
509. The Minutes of all Executive Council Meetings shall be mailed to the Executive Council Members and Provincial Command.

### **QUORUM**

510. A majority of the members of the Executive Council present at Meetings shall constitute a quorum for the transaction of business.

### **QUALIFICATION**

511. All Members of the Executive Council shall be members in good standing of an Auxiliary within the Command.

## **ARTICLE VI -ADMINISTRATIVE COMMITTEE**

601. The Administrative Committee shall be composed of the Provincial Senior Elected Officers as identified elsewhere in these By-Laws.

### **MEETINGS**

602. The Provincial President shall call meetings of the Administrative Committee at such times as she deems necessary between meetings of the Executive Council to transact business and carry out any necessary administrative duties of the Command.

603. The Minutes of all Administrative Committee Meetings shall be presented at the next meeting of the Executive Council.

## **QUORUM**

604. A majority of the members of the Administrative Committee present at Meetings shall constitute a quorum for the transaction of business.

## **STANDING AND SPECIAL COMMITTEES**

605. (1) The following Standing Committee Chairs or Representatives (if applicable) shall be appointed by the Provincial President for the approval of the Administrative Committee:

- (a) Bursary.
- (b) Charitable Foundation.
- (c) Constitution and Laws
- (d) Gifts.
- (e) Honours and Awards.
- (f) Lottery.
- (g) Track and Field.
- (h) Tri-District Hospital:
  - A-B-C
  - D-E-F
  - G-H-K
  - Veteran Services and Seniors.

(2) The Provincial President may appoint, with the approval of the Administrative Committee, a Chair of any Special Committee as may be required.

(3) The above Chairs shall perform any duties assigned to them and report as required.

606. The Administration Committee shall appoint a Provincial Sports Officer in the month of July in the year of the Convention from applications received from interested Members.

## **EMPLOYEES**

607. The Secretary-Treasurer and any other employee of the Command shall be appointed by and be under the control of the Administrative Committee.

## ARTICLE VII - COMMAND OFFICERS

701. The Senior Elected Officers of the Command and their order of precedence shall be:
- (a) Provincial President.
  - (b) Immediate Past Provincial President.
  - (c) Provincial First Vice-President.
  - (d) Provincial Second Vice-President.
  - (e) Provincial Third Vice-President.
  - (f) Provincial Chair.

### **POWERS AND DUTIES**

702. Every Senior Elected Officer shall hold Office until her successor is elected or appointed or until lawfully deprived of her Office or until the Office is abolished.

703. The **Provincial President** shall:

- (1) Call all Conventions and Meetings of the Command as provided for in these By-Laws.
- (2) Preside at the opening and closing of all Conventions and Meetings of the Command.
- (3) Exercise a general supervision and control over the Officers, members, and business of the Command.
- (4) Transact such other business as may, by custom, be associated with her office.
- (5) Be an ex-officio member of all Committees under direct authority of the Command. She may delegate any Senior Elected Officer to represent her.

704. In the absence or disability of the Provincial President, all rights and powers vested in her shall, for the time being, be vested in the most senior Vice-President present and available to assume these rights and powers.

705. The **Immediate Past Provincial President** shall:

- (1) Upon the request of the Provincial President, assist and advise her on any matter respecting the performance of her duties.
- (2) Accept appointment to any Standing or Special Committee as a Chair or Member of same.

- (3) Attend other Conventions and meetings upon the request of the Provincial President.

706. The **Provincial Vice-Presidents** shall:

- (1) Assist the Provincial President, upon her request, in the performance of her duties.
- (2) Accept, if appointed, the Chair of any Standing or Special Committee.
- (3) Attend other Conventions and meetings upon the request of the Provincial President.
- (4) Become familiar with and maintain a good working knowledge of these By-Laws.

707. In the absence or disability of the Provincial President and all Provincial Vice-Presidents, all rights and powers vested in them as provided for elsewhere in these By-Laws, shall for the time being, be vested in the Provincial Chair.

708. The **Provincial Chair** shall:

- (1) Preside over the debate and transaction of business of all Conventions and Meetings of the Administrative Committee and Executive Council.
- (2) Ascertain that a quorum is present at all Conventions and/or Meetings.
- (3) Have an agenda for the meeting.
- (4) Enforce the observance of all rules for the orderly conduct of a meeting.
- (5) Perform such other duties as the meeting may properly direct or as the Rules of Procedure may require.
- (6) Exercise sound judgment and tact at all times.

709. In the absence or disability of the Provincial President, all Provincial Vice-Presidents and the Provincial Chair, the Provincial Secretary-Treasurer shall call the meeting to order, if there is a quorum, and a temporary Chair shall be elected.

710. The **Provincial Secretary-Treasurer** shall:

- (1) Keep a record of all proceedings of meetings of the Administrative Committee and Executive Council in special books provided for this purpose.
- (2) Keep an accurate account of all monies received or paid out by the Command and a record of all other financial transactions.

- (3) Deposit all funds in the appropriate account held in the name of the Command at a Chartered Bank of Canada, a Trust Company or Caisse Populaire, as approved by the Administrative Committee.
  - (4) Have all her financial books audited by the approved Auditor(s) prior to the completion and presentation of her financial statement to the Convention and/or the Executive Council Meeting.
  - (5) Present the Command monthly financial statements to the members of the Administrative Committee at their regular meetings.
  - (6)
    - (a) Present the Auditor's Report at the meetings of the Administrative Committee and/or Executive Council as required.
    - (b) Ensure that a copy of the Auditor's Report is either included in each Convention Kit, or in a non-Convention year, mailed to all Auxiliaries.
    - (c) Forward the current copy of the Auditor's Report to Provincial Command.
  - (7) Be responsible for the safekeeping of all books, records and correspondence which shall remain the property of the Command and be available for inspection upon request by the Administrative Committee.
  - (8) Prepare the agenda for all meetings as listed elsewhere in this Section.
  - (9) Prepare the minutes of each meeting and forward a copy of same to all members of the Executive Council.
  - (10) Receive and manage all correspondence and redirect any matter to the proper recipient, if necessary.
  - (11) Keep copies of all letters and other correspondence received and be able to produce any one of these documents upon the request of the Executive Council and/or the Administrative Committee.
  - (12) Keep a current and complete roll of all Auxiliaries.
  - (13) Keep a record of member attendance at all meetings as listed elsewhere in this Section.
  - (14) Send out all notices as prescribed elsewhere in these By-Laws within the applicable time limits.
  - (15) Be responsible for ensuring that Auxiliaries follow the proper procedures and rules regarding delegate credentials.
  - (16) Perform such other duties as assigned by the Provincial President and/or the Administrative Committee.
711. In addition to the duties prescribed by these By-Laws, the Command Officers shall perform such services as may pertain to their respective office and as determined by the Executive Council.



## **EXPENSES**

712. Members of the Executive Council, employees and other persons when duly authorized, shall be entitled to reimbursement of expenses incurred when attending Conventions and/or Meetings of the Command or when otherwise engaged upon the business of the Ladies' Auxiliary within their jurisdiction and as may be approved by the Administrative Committee.

## **FINANCE**

713. (1) The Provincial President, the Provincial First Vice-President, and the Provincial Secretary- Treasurer shall be the authorized signing Officers of the Command Auxiliary.
- (3) Every cheque shall be signed by any two of the authorized signing Officers provided that the two signatories are not related by blood, marriage or common-law relationship.
- (4) In no case shall any cheques be signed in blank.
- (5) All promissory notes, bills of exchange and other instruments involving any liability of the Command shall be countersigned by any one of the authorized signing Officers.
714. All funds raised in the name of the Ladies' Auxiliary to the Ontario Provincial Command shall be remitted to the Secretary-Treasurer of the Command.

## **AUDITOR(S)**

715. (1) The Auditor(s) shall be elected or reaffirmed at every Convention for a term of two years.
- (2) The Auditor(s) shall prepare a report for presentation by the Provincial Secretary-Treasurer as noted elsewhere in these By-Laws.
- (3) The Auditor(s) shall not be an employee of the Command or a member of the Executive Council.

## **VACANCIES**

716. (1) In the event of the resignation, death or incapacity of the Provincial President, she shall be succeeded by the Provincial First Vice-President.
- (2) In the event of the resignation, succession to Provincial President, death or permanent incapacity of the Provincial First Vice-President, she shall be succeeded by the Provincial Second Vice-President.

- (4) In the event of the resignation, succession to Provincial First Vice-President, death or permanent incapacity of the Provincial Second Vice-President, she shall be succeeded by the Provincial Third Vice-President.
- (5) In the event of the resignation, succession to the Provincial Second Vice-President, death or permanent incapacity of the Provincial Third Vice-President, the Executive Council shall fill the vacancy by electing from its members, a new Provincial Third Vice-President.

717. Notwithstanding the foregoing provisions, if a vacancy should occur in any of the three (3) offices of Provincial Vice- President within nine (9) months of the next Convention, such office may be left vacant by a majority vote of the Executive Council.

718. In the event of the resignation, succession to another office, death or permanent incapacity of the Provincial Chair, the Executive Council shall fill the vacancy by electing a replacement from its members.

## ARTICLE VIII – ZONES

### **ORGANIZATION**

- 801 (1) The Command shall be organized into such Zones as the Provincial Command may from time to time determine.
- (2) The Zone is subject to the jurisdiction of the Command.
- (3) The Zone is composed of all Auxiliaries within the territorial limits as set forth by the Provincial Command.

### **ZONE CONVENTIONS / ZONE SPECIAL MEETINGS**

- 802. (1) Zone Conventions and Special Meeting shall consist of delegates from all Auxiliaries within the Zone and the members of the Zone Council.
- (2) For the purpose of determining the number of Accredited Delegates which an Auxiliary shall be entitled to send to the Zone Convention or Special Meeting, the membership strength of the Auxiliary shall be the number of fully paid up members carried on the files of Command at the end of last preceding calendar year.
- (3) Each Auxiliary shall be entitled to certify one Accredited Delegate for the first twenty-five (25) members or fraction thereof, a second Accredited Delegate for the second twenty-five (25) Members or a fraction thereof and one additional Accredited Delegate for each

additional fifty (50) members or fraction thereof.

- (4) Any Auxiliary having received its charter during the year preceding the Convention and/or Meeting shall be entitled to one (1) Accredited Delegate.

803. Each Zone shall hold a Zone Convention in the Spring prior to the next Convention for the purpose of electing its Zone Officers for the ensuing term, provided that such Zone Convention may also deal with other business.

804. Each Zone shall hold an Annual Zone Convention in the Spring.

### **LEVY**

805. The Command may authorize a Zone Convention to raise a per capita levy on each Auxiliary within the said Zone jurisdiction to meet such expenditures as may be authorized by the Zone Council.

### **ZONE OFFICERS**

806. The Officers of the Zone shall be elected by ballot in the order of precedence as listed below:

- (a) Zone Commander.
- (b) Deputy Zone Commander.
- (c) Zone Sports Officer.

807. To be eligible to be elected Zone Commander, Deputy Zone Commander or Zone Sports Officer, a candidate must:

- (1) Be a member in good standing for one year.
- (2) Be a member of an Auxiliary within the Zone.
- (3) Be either in attendance at the election or have signified in writing her willingness to stand for any indicated Office. (NOTE: Any letter of intent shall only be tabled once the member has been duly nominated)
- (4) Be an Auxiliary President, or an Auxiliary Past President, or a past or present member of an Auxiliary Executive Committee, or have served not less than one year on Zone or Command Executive Council.

808. The Zone Officers shall be installed prior to the next Provincial Convention and shall assume their official duties immediately upon the conclusion of the next

Provincial Convention.

## **DUTIES**

809. The **Zone Commander** shall:

- (1) Be the Chair of the Zone.
- (2) Be responsible to further the best interest of the Legion and the Auxiliaries within her Zone.
- (3) Officially visit each Auxiliary at least once a year and during the said visit, she shall review the books and records as part of the annual inspection.
- (4) Not act in her capacity as the Zone Commander when in attendance at any Auxiliary Meetings of her own Branch unless present on an Official Visit.
- (5) Provide to the Executive Council, and at any other time as required, a report on the conduct, finances, membership and/or work of the Auxiliaries within her Zone.
- (6) Appoint a Zone Secretary and a Zone Treasurer or a Zone Secretary-Treasurer whose duties shall be to keep accurate records of all activities and proceedings associated with their Office and perform such other duties as be directed by the Zone Commander and/or the Zone Convention.

810. The **Deputy Zone Commander** shall:

- (1) Assist the Zone Commander in the performance of her duties and accept all tasks and assignments given to her by the Zone Commander.
- (2) In the absence or disability of the Zone Commander, all rights and powers pertaining to the administration of the Zone and vested in the Deputy Zone Commander.
- (3) Be an Accredited Delegate to Conventions at no expense to the Command.
- (4) Ensure that any advice or decision advanced by her shall be consistent with the strategies and policies of and pre-approved by the Zone Commander.

811. The **Zone Sports Officer** shall:

- (1) Convene the Annual Sports Meeting prior to the Zone Convention in the Spring.
- (2) Direct any unsolved problems arising from the Annual Sports Meeting to the attention of the District Sports Officer.
- (3) Send the current Financial Statement and copies of Reports of Meetings and Tournaments to the Zone Commander, District Sports Officer and all Auxiliaries within her Zone as required.
- (4) Convey all Zone reports, minutes, correspondence, and money in her possession at the conclusion of her Term of Office to the incoming Zone Sports Officer when a change is made.
- (5) Ensure that all information pertaining to Tournament schedules, eligible teams and competition results are forwarded to the Zone Commander, the District Sports Officer, and all Auxiliary Sports Officers in her Zone in a timely fashion.

## **ZONE COUNCIL**

812. The Zone Council shall consist of the Zone Officers, the President of each Auxiliary within the Zone and any current eligible Command Officer who is a member of an Auxiliary within the Zone.
813. It shall be the duty of the Zone Council to assist and advise the Zone Commander in the administration of the Zone.
814. A Zone may hold Zone Council Meetings either at the call of the Zone Commander or by the Secretary on receipt of a written request signed by a majority of the Zone Council.

## **QUORUM**

815. A quorum to open and conduct business for all Zone Conventions and/or Meetings shall require the presence of a majority of representation of the Auxiliaries within the Zone.

## **EXPENSES**

816. Members of the Zone Council, employees and other persons when duly authorized, shall be entitled to reimbursement of expenses incurred when attending Conventions and/or Meetings of the Command or when otherwise engaged upon the business of the Ladies' Auxiliary within their jurisdiction

and as may be approved by the Administrative Committee.

817. (1) The Zone Commander, Deputy Zone Commander and Zone Sports Officers shall be the authorized signing Officers of the Zone.
- (2) Every cheque shall be signed by any two of the authorized signing Officers provided that the two signatories are not related by blood, marriage or common-law relationship.
- (3) In no case shall any cheques be signed in blank.
818. The Zone Council shall ensure that all Officers, employees and any other authorized member handling funds of the Zone shall be adequately bonded.

#### **AUDITORS**

819. (1) Two Auditors shall be appointed at the Zone Convention in the Spring to review the financial accounts of the Zone at the end of the fiscal year.
- (2) The Auditors shall not be related by blood, marriage or common-law relationship to any of the authorized signing Officers as identified elsewhere in these By-Laws.
- (3) The Auditors shall prepare a report for presentation by the Zone Treasurer at the next Zone Convention.

#### **VACANCIES**

820. In the event of a vacancy occurring in the office of Zone Commander, the Deputy Zone Commander shall succeed to the vacant Office and the vacancy in the Office of Deputy Zone Commander shall be filled by appointment at the next Zone Convention, or at a Special Zone Meeting called for that purpose.
821. In the event of a vacancy occurring in the office of Deputy Zone Commander, or the Zone Sports Officer, the vacancy shall be filled by election at the next Zone Convention, or at a Special Zone Meeting called for that purpose.
822. In the event of the death, resignation or inability to act of the Immediate Past Zone Commander, the position of Immediate Past Zone Commander shall be filled for the remainder of the term with the appointment by the Zone Council of a former Zone Commander.

## **DISTRICT SPORTS OFFICER**

- 823 (1) A District Sports Officer shall be elected in each District of Provincial Command from the members of the Zones within each District.
- (2) The nomination and election of a District Sport Officer shall take place at the Annual District Sports Meeting held in the same year as Convention.
- (3) Any member in good standing from a Zone within the applicable District may be nominated for the office of District Sports Officer.
824. The **District Sports Officer** shall:
- (1) Convene an annual District Sports Meeting and notify the Provincial Secretary-Treasurer of the time, date and location of same.
- (2) Forward copies of all reports and any other required or requested document(s) to the Provincial Sports Chair.
- (3) Ensure that all relevant information received at the Provincial Sports Meetings is distributed in a timely manner to all Zones and Auxiliaries within her District.
- (4) Convey a document including reports and minutes and any District Sports money in her possession at the conclusion of her Term of Office to the incoming District Sport Officer when a change is made.
- (5) The District Sports Officer, a Provincial Officer appointed by the Provincial President and the closest Zone Commander, shall be the authorized signing Officers of the District Sports Fund.

## **ARTICLE IX - AUXILIARIES**

### **OFFICERS**

901. The Officers of an Auxiliary shall be:
- (a) President.
- (b) Immediate Past President.
- (c) First Vice-President.
- (d) Second Vice-President.
- (e) Third Vice-President (*if applicable*).
- (f) Secretary.
- (g) Correspondence and/or Recording Secretary (*if applicable*).
- (h) Treasurer.

- (i) Secretary-Treasurer *(if applicable)*.
- (j) Sports Officer.

- 902. The Officers and other Members of the Executive Committee shall be installed prior to the commencement of their Term of Office.
- 903. No member shall simultaneously hold the positions of Branch President and Auxiliary President.

### **EXECUTIVE COMMITTEE**

- 904. The Executive Committee shall be elected and composed of the Officers, Sergeant-at-Arms, and a maximum of six (6) other Executive Committee Members.
- 905. The Executive Committees of a Branch and its Auxiliary shall hold two (2) joint meetings each year.
- 906. The President shall call and preside at all meetings of the Executive Committee and shall ensure that all Executive Committee members are given sufficient advance notice of the time and date of the said meeting.
- 907. A majority of the Executive Committee present at their Meetings shall constitute a quorum to enable it to conduct business.
- 908. Any member of the Executive Committee who absents herself from three (3) consecutive or a maximum of five (5) regular meetings of the Auxiliary and/or Executive Committee within any consecutive twelve (12) month period shall cease to be a member of the Executive Committee unless granted a leave of absence by same.
- 909. The Executive Committee shall have the power to add to its numbers, by motion at a meeting, such additional members as may be deemed advisable provided that such additions shall be effective only upon the approval of the Auxiliary at its next General Meeting.
- 910. The Executive Committee shall ensure that copies of minutes from all Auxiliary Meetings are provided to the Branch in a timely manner.
- 911. Insofar as the operation and functions of an Auxiliary subject to the control of the General, Special General or Annual Meetings, the Executive Committee shall have all the powers of the Auxiliary, except to appoint Auditors or amend the By-Laws.

### **VACANCIES**

- 912 (1) Where an Auxiliary has three (3) Vice-Presidents and a vacancy occurs in the office of President or First Vice-President or Second



Vice-President, the next ranking Vice-President shall succeed to that Office. A Vice-President who succeeds to a higher Office in accordance with this provision shall hold the new Office until the next election of Auxiliary Officers.

- (2) In the event of a vacancy occurring in the Office of Third Vice-President or Executive Member, the President shall fill such vacancy by appointment, such appointment to be subject to confirmation by the membership at the next General Meeting.
- (3) Where an Auxiliary has two Vice-Presidents, then the procedure outlined in the aforementioned paragraph shall apply to a vacancy in the Office of Second Vice-President.

913. Notwithstanding the foregoing provisions, if a vacancy should occur in any of the Offices of Vice-President within nine (9) months of the next Auxiliary election, such Office may be left vacant by a majority vote of the membership at a General Meeting.

## **FINANCE**

914. Auxiliaries shall not make any donations or grants to any other organization or institution without the prior approval of a General Meeting of the Branch.

915. All expenditures, other than normal operating expenditures, in excess of five hundreds (\$500.00) or the same amount as allowed to the Branch Executive, made by an Auxiliary, must be approved by the Branch at a General, Special General or Annual Meeting prior to such expenditure being made, but notwithstanding the forgoing, the Auxiliary shall make contributions to the Legion and the Ladies' Auxiliary Bursary Program.

916. (1) All cheques shall be signed by any two of the following provided that the two signatories are not related by blood, marriage, or common-law relationship: President, First Vice-President or Treasurer.

(2) The Second Vice-President may be a signatory on any cheques when the President and First Vice-President are unavailable and provided that she meets the criteria as noted in the aforementioned Subsection.

(3) All accounts payable in excess of fifty (\$50.00) shall be paid by cheque.

(4) In no case shall any cheques be signed in blank.

## **AUDITORS**

917. (1) The Branch Executive Committee may appoint two auditors from Branch Members or if it chooses, allow the Auxiliary to appoint two auditors from their own Auxiliary Members to conduct the annual Financial Review at the end of the Fiscal year.
- (2) The Auditors shall not be:
- (a) Members of that Auxiliary Executive Committee.
  - (b) Employees of any level of the Ladies' Auxiliary.
  - (c) Related by blood, marriage or common-law relationship to the Treasurer.
918. The report of the Financial Review shall be provided to the Branch and the Zone Commander within thirty (30) days of its approval by the General Meeting.

## **REAL AND PERSONAL PROPERTY**

919. All real and personal property acquired by the Auxiliary, including all monies raised, but excluding lottery funds, shall be the property of the Branch.
920. A Branch may make funds available to its Auxiliary upon receipt of a written request outlining the purpose for which such funds are required.
921. A Branch may, by a Branch Regulation, limit the amount of funds that its Auxiliary may retain at the end of each fiscal year.
922. All funds; excluding tips and/or gratuities from paying customers; raised by any initiative performed by the members shall be conveyed to the Treasurer for immediate deposit in the appropriate account.

## **MEETINGS**

923. A total of ten (10) monthly General Meetings as identified and approved by motion at the first General Meeting of the Term shall be held within such Term of Office.
924. A quorum for all General, Special General or Annual General Meetings shall require the presence of the President or in her absence the First Vice President, the Secretary or her back-up and the Treasurer or her back-up plus 5% of remaining members in good standings.
925. The President shall preside at all General, Special General and Annual Meetings of her Auxiliary, except that, the Executive Committee may name another person to act as Chair for the conduct of Elections.

926. The following Order of Business shall govern at all General and Annual Meetings:
- (1) Call to Order by the President.
  - (2) Opening Ceremonies.
  - (3) Introduction of Guests (*If applicable*)
  - (4) Motion for Agenda Deviation. (*if necessary*)
  - (5) Minutes of the last General Meeting and Executive Meeting.
  - (6) Business arising from the Minutes.
  - (7) Initiation of New Members.
  - (8) Presentation of Applications for Membership and Reinstatement for approval.
  - (9) Presentation of the Financial Statement and Accounts.
  - (10) Correspondence.
  - (11) Recess - Payment of Dues.
  - (12) Reports of Committees.
  - (13) Tabling Notice of Motions.
  - (14) General and New Business.
  - (15) Unfinished Business
  - (16) Introduction of the Election Chair and Scrutineers. (*Items 16 -18 are only applicable at the Election Meeting*)
  - (17) Nominations and Elections for each Elective Office
  - (18) Executive Committee Members shall be in the following order:
    - (a) President
    - (b) First Vice-President
    - (c) Second Vice-President
    - (d) Third Vice-President (*if applicable*)
    - (e) Secretary Correspondence and/or Recording Secretary
    - (f) Treasurer
    - (g) Secretary-Treasurer (*if applicable*)
    - (h) Chaplain (*if applicable*)
    - (i) Sergeant-at-Arm
    - (j) Sports Officer
    - (k) Executive Committee Members
  - (19) Motion for Adjournment.
  - (20) Closing Ceremonies.
927. A current financial statement including updates of all funds raised since the last statement shall be provided to the membership at each General Meeting.

## NOMINATIONS AND ELECTIONS

928. The Auxiliary may appoint a Nomination Committee.
929. The nomination and election of Officers and other Executive Committee Members shall be by ballot and be held on the same date and time as the General Meeting in the month of April or May as determined by minutes at a previous meeting of the same body.
930. (1) The Election Chair who does not have family standing in the election; shall be a Branch President or their designate, or the Ladies' Auxiliary Zone Commander, or a President from another Auxiliary. The Scrutineers must be provided by the Election Chair.
- (2) The Election Chair shall report to the meeting the total number of ballots cast, the number of spoiled ballots, the successful candidate or, if no candidate has received the required majority, the name of the candidate(s) who received the least number of votes and will be dropped from the ballot as the voting shall continue until a successful candidate(s) is elected.
931. (1) To be eligible to be elected to the Executive Committee, a member must:
- (a) Be a member in good standing and;
- (b) Have held membership in the Ladies' Auxiliary for a period of one (1) year prior to the election. (*NOTE: Any recent transferee must provide proof of past service.*)
- (2) Further, to be eligible to be elected President or Vice President, a member must have served one (1) term on the Executive Committee.
932. Nominations for each elective office in their Order of Precedence shall be orally accepted from the floor.
933. In addition to the list of members nominated for Vice-President, the unsuccessful candidates for President shall be automatically added to the list of nominees for Vice-President.
934. (1) When the balloting is for a single Office, the Candidate receiving a majority of votes shall be elected.
- (2) Where more than four (4) Candidates are contesting an Office and no Candidate receives the required majority, the names of the two (2) Candidates receiving the least number of votes shall be withdrawn from the election and the voting shall continue until one (1) Candidate

receives the required majority.

- (3) Where four (4) or less Candidates are contesting an Office and no Candidate receives the required majority, the name of the Candidate receiving the least number of votes shall be withdrawn from the election and the voting shall continue until one (1) Candidate receives the required majority.
- (4) The election of Executive Committee Members shall be determined by the member or members that receive the highest number of votes in a single ballot to fill the applicable number of positions.
- (5) Should a tie result for the final Executive Committee Member position or positions after the original balloting, voting will continue with only the tied members on the ballot until the remaining positions are filled.

## **DELEGATES**

935. (1) Each Auxiliary shall be entitled to send accredited delegates to Conventions and Zone Conventions and Special Meetings with no expense approval required from the Branch.
- (2) Any Life Member or member in good standing after holding membership for a period of one (1) year may be an Accredited Delegate upon being appointed and certified by her Auxiliary.
- (3) Only Accredited Delegates shall be entitled to full privileges when attending Conventions or Meetings to which they have been appointed to and certified for by their Auxiliary.

## **BY-LAWS**

936. (1) Auxiliaries may draft their own By-Laws provided that they conform to the General By-Laws of the Ladies' Auxiliary to the Ontario Provincial Command and the General By-Laws of the Provincial and Dominion Commands.
- (2) By-Laws of an Auxiliary must be approved by their Branch and Provincial Command prior to becoming effective.

## **ARTICLE X – HONOURS AND AWARDS**

1001. The Honours and Awards available to members of the Ladies' Auxiliary, with exceptions, are contained in the most current publication issued by the Legion and titled Honours and Awards Manual.

1002. The Ladies' Auxiliary shall maintain a current edition of their Ladies'

Auxiliary – Honours and Awards Guidelines and it shall contain all eligibility requirements and processing criteria consistent with the content contained in the aforementioned Legion Manual.

## **APPLICATIONS**

1003. All applications for awards, when applicable, shall be approved by secret ballot at the appropriate meeting.

## **TRILLIUM PIN**

1004. The Trillium Pin may be awarded to any eligible member as outlined in the Ladies' Auxiliary – Honours and Awards Guidelines.

## **SERVICE PINS**

1005. A Ladies' Auxiliary Service Lapel Badges showing the total number of continuous years of service may be awarded to those eligible members.

## **ARTICLE XI – RULES OF PROCEDURE**

1101. The Presiding Officer of any Meeting or Convention of the Ladies' Auxiliary shall rule out of order all matters pertaining to political or religious questions, which do not refer to the well- being of the Legion and/or the Ladies' Auxiliary.

1102. The Presiding Officer of any Meeting or Convention of the Ladies' Auxiliary shall enforce order and strict observance of these By-Laws and the By-Laws of the Provincial and Dominion Commands. She shall have the right to decide all questions of order, subject to an appeal by the meeting or convention, which appeal must be sustained by a majority vote of those eligible voting members present.

1103. The Presiding Officer shall, when debate has ceased on any question, put same to an open vote, giving the words of the motion clearly, so that no eligible voting member may misunderstand the question on which she is about to vote. In the event, however, of a majority of the eligible voting members present demanding a secret ballot on any particular question, such question shall be decided by secret ballot.

1104. A member wishing to introduce a motion or to speak shall rise and wait until she is recognized by the Presiding Officer, before speaking

1105. In all matters of procedure not provided for in these By-Laws, the provisions of the most current edition of the Legion's "Rules of Procedure for Legion Meetings" shall apply. In all cases where these rules do not make adequate provision, then and only then "Robert's Rules of Order" shall apply.

## **ARTICLE XII – PER CAPITA TAX AND DUES**

1201. (1) Per capita tax, as levied from time to time by the Convention, shall form part of the annual Auxiliary dues.
- (2) Membership dues shall become due and payable by all members on the 1<sup>st</sup> of January in each calendar year.
- (3) The current membership dues shall include a one-time initiation fee set by that Auxiliary for all new members.

### **MEMBERS IN ARREARS**

1202. (1) A member in arrears of her dues as of the 31<sup>st</sup> day of January of that year is not in good standing for any purpose. Once the membership dues are paid, the member is considered to be ‘in good standing’.
- (2) The Auxiliary Secretary, upon the report of the Auxiliary Treasurer, shall forthwith send a written Notice of Dues Owed to the last known address of each Member whose dues for the current year remain in arrears after the 31<sup>st</sup> day of January of that year.
- (3) (a) A member in arrears of her dues for the current year may remit such dues prior to the end of that year and shall immediately return to the status of a member in good standing.
- (b) A member paying her dues as noted above shall retain her continuous years of service.
- (c) A member in arrears of her dues after the 31<sup>st</sup> day of December of the year in which they were owed must submit a new Application for Membership to be considered for reinstatement.
- (4) The payment of dues in arrears by any member who was removed from Office for failure to pay such dues shall not restore any such office forfeited by her.

### **REMITTANCE OF PER CAPITA**

1203. The current annual per capita tax collected from the total number of members as determined by the paid up membership as of the 31<sup>st</sup> day of December of the past year shall be forwarded to the Provincial Secretary-Treasurer by the 31<sup>st</sup> day of January of the following year.

1204. The per capita remittance shall be submitted under cover of the Per Capita Tax Form which shall have been completed and duly signed by the President, Treasurer, and Secretary of that Auxiliary.

#### **DEFAULT OF PER CAPITA PAYMENT**

1205. (1) The Provincial Command, upon the report of the Command and in consultation with the affected Branch, may suspend the Charter of any Auxiliary which has failed to remit its per capita tax as required within the time limits prescribed elsewhere in these By-Laws.

(2) The suspension of the Charter of any Auxiliary for failure to remit its per capita tax may be rescinded by the Provincial Command, upon the report of the Command that the necessary per capita tax owing has been remitted.

1206. Should any Auxiliary continue to fail to remit its per capita tax by the 31st day of March in the year in which it was owed, the Provincial Command, upon the report of the Command and in consultation with the affected Branch, may revoke the Charter of the said Auxiliary.

#### **ARTICLE XIII – COMPLAINT PROCEDURE / DISPUTE PROCEDURE**

##### **COMPLAINT PROCEDURE**

1301. The provisions of Article III of the General By-Laws of the Legion titled Complaints and Appeals shall apply in respect of all procedures and dispositions.

1302. Any complaint against a Ladies' Auxiliary Member may only be lodged by another Ladies' Auxiliary Member.

1303. All complaints against any member of the Ladies' Auxiliary shall be lodged with her Branch.

1304. Where the member complained against is a member of the Branch and the Ladies' Auxiliary, any penalties imposed will apply in respect of both the Branch and the Ladies' Auxiliary.

##### **DISPUTE PROCEDURE**

1305. Where a dispute arises between a Branch and its Auxiliary and such dispute cannot be resolved by agreement between the respective Presidents, the following shall apply:

(1) The Branch President shall appoint a Committee of three (3) Members of the Branch with one Member appointed as the Chair.

(2) The Branch President shall request the President of its Auxiliary to



appoint two (2) Auxiliary Members to this Committee.

- (3) The Committee shall meet at a time and place designated by its Chair and shall investigate the dispute.
  - (4) The Committee shall report its findings, conclusions, and recommendations to the Branch Executive.
1306. Any decision rendered by the Branch Executive after receipt of the report of the Committee shall be subject to the approval of the Branch Members at their next General Meeting.
1307. The Auxiliary may appeal to Provincial Command from a decision of the General Meeting of the Branch.

#### ARTICLE XIV – BY-LAWS

1401. These By-Laws may be amended, repealed, or re-enacted at any Convention by a majority vote of the whole convention, provided that one month's notice has been given to the Command of such proposed amendment, unless such notice is waived by a two-thirds vote of the said Convention.
1402. Any amendments to these By-Laws is subject to the approval of Provincial Command prior to becoming effective.
1403. Upon the adoption of these By-Laws, all previous By-Laws of the Ladies' Auxiliary to the Ontario Provincial Command are repealed, but this repeal shall not affect the validity of any appointment made or thing done under the authority thereof.
1404. As amended by the members of the Ladies Auxiliary Executive Council of Ontario Provincial Command at a Council meeting held on April 26, 2023.

Kathy Moggy - President

Kim Adams - Secretary-Treasurer