

RSL NSW CONSTITUTION 2019

DISTRICT COUNCIL FEEDBACK: FROM RAYMOND TERRACE RSL SUB-BRANCH

This document is to assist the District Council to collect feedback on the draft Constitution that was distributed to all District Councils on 12 June 2019. Each section below is numbered according to the relevant clause in the proposed Constitution to help you work through the document systematically.

Based on the feedback from your District Council delegates, please tick 'Agree' or 'Disagree' for each section. Where delegates do not agree with a section, please explain their specific concerns under 'Comments'.

Please collate the questions and comments your delegates wish to provide in each section and return one consolidated form. If you need extra space, do not hesitate to attach additional pages.

There is a section at the end of this document if you wish to provide general comments, questions or other feedback.

RSL NSW wants to receive as many views as possible from a wide representation of the membership. Please include the sub-Branches that have provided feedback here:

Sub-Branches participating in feedback on the draft Constitution

FEEDBACK PROVIDED BY THE RAYMOND TERRACE RSL SUB-BRANCH

Return this document via email to dcfeedback@rslnsw.org.au or post to *ANZAC House, Level 5, 341 George Street, Sydney NSW 2000* by Monday, 15 July 2019.

Should you have any questions, please contact the State Secretary, Jeff O'Brien, on 9139 4200.

Preamble

Agree	Disagree	Comments (include clause numbers)
✓		Para 2; Last Sentence. Comment: Service membership is not actually restricted to those who only served in the Australian Defence Force (see Appendix B, Para 14) but also other nominated military forces. Consider amending to read: “Service membership of the League is for those who have served in the Australian Defence Force and other Commonwealth or allied military forces”.

3. Purpose

Agree	Disagree	Comments (include clause numbers)
✓		

4. RSL NSW Powers

Agree	Disagree	Comments (include clause numbers)
✓		

5. Application of Income and Property

Agree	Disagree	Comments (include clause numbers)
✓		

6. Limited Liability

Agree	Disagree	Comments (include clause numbers)
✓		

7. Amendments to the Constitution

Agree	Disagree	Comments (include clause numbers)
✓		

8. Members

Agree	Disagree	Comments (include clause numbers)
✓		

9. RSL NSW Board of Directors

Agree	Disagree	Comments (include clause numbers)
✓		Paras 9.20; 9.36.b; 9.44; 9.58: Is the term "Company Secretary" an appropriate title in these paragraphs? Should it be State Secretary, or, should the definition at Annex A be amended to reflect person employed as RSL NSW State Secretary? Para 9.25: the Sub-Heading for this paragraph requires Leading Letter Capitalisation.

10. Remuneration of Directors

Agree	Disagree	Comments (include clause numbers)
✓		

11. Chief Executive Officer

Agree	Disagree	Comments (include clause numbers)
✓		

12. District Councils

Agree	Disagree	Comments (include clause numbers)
✓		<p>Paras 12.15 (a) and (b) need to be indented.</p> <p>Para 12.20 (b): Should read: "a majority of District Council Delegates requesting..." (delegates should be plural).</p> <p>Para 12.30: Sub-Heading title of para should all be Leading Letter Capitalised</p> <p>Para 12.31: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 12.43: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 12.60: Sub-Heading title of para should be Leading Letter Capitalised.</p>

13. Sub-Branches

Agree	Disagree	Comments (include clause numbers)
✓ (as amended)		<p>Para 13.5 (c) (iv): Should read: "a premium for insurance cover to indemnify a sub-Branch Executive or sub-Branch Trustee; and" (insert or)</p> <p>Para 13.6: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 13.10: Should read: "A Service Member who has previously been the subject of a Disciplinary Resolution in accordance with Appendix D or who was a member of a sub-Branch Executive at the time that the sub-Branch was the subject of a Disciplinary Resolution in accordance with Appendix D may not hold office as a sub-Branch Executive unless approval is given by the Board. (insert the)</p> <p>Para 13.15: Last sentence needs to be joined up.</p> <p>Para 13.28: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 13.35: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 13.39: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 13.39: QUESTION: Is the '31 March' date still appropriate if RSL NSW is moving to a 'financial year' reporting timeframe? For simplicity and consistency, why don't we change everything, including membership fees to the financial year and report in September?</p> <p>Para 13.42; and 13.44: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 13.45: Insert 'the' in the phrase: "transferred to the sub-Branch nominated by the Member"</p> <p>Para 13.47: COMMENT: Surely both the Delegate and Alternate Delegate are entitled to attend the AGM and any General Meeting. Suggest amending the sentence to read: '...is entitled to appoint one Delegate and one Alternate Delegate, both of whom will be entitled to attend the Annual General Meeting and any General Meeting.' The</p>

		<p>following paragraph limits the number of votes sub-Branch delegates can cast.</p> <p>Para 13.48: Paragraph is ambiguous about the voting rights of Delegates versus Alternate Delegates. Suggest amending this para to read: 'Subject to clause 13.49 each Delegate or Alternate Delegate is entitled to one vote on all Member resolutions, including constitutional resolutions.'</p> <p>Para 13.52: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 13.57: COMMENT: If the sub-Branch President is the 'appointer' of Trustees as per Para 13.53, why is it necessary to call a General Meeting of the sub-Branch to appoint new trustees? Why can't the President simply appoint a new Trustee? Suggest this para needs to be amended as follows: "If a sub-Branch is at any time, not in compliance with the requirement to have sub-Branch Trustees, the President must as soon as practicable rectify the noncompliance by appointing new trustees as required. The sub-Branch President as the settlor of the sub-Branch trust may effect the appointment of the new sub-Branch Trustee(s) in accordance with this Constitution and the law."</p> <p>Para 13.65: Sub-Heading title of para should be Leading Letter Capitalised.</p> <p>Para 13.86: Sub-Heading title of para should be Leading Letter Capitalised.</p>
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14. Dispute Resolution and Disciplinary Procedures

Agree	Disagree	Comments (include clause numbers)
✓		

15. Indemnity and Insurance

Agree	Disagree	Comments (include clause numbers)
✓		

16. Execution of Documents

Agree	Disagree	Comments (include clause numbers)
✓		

17. Winding Up and Dissolution

Agree	Disagree	Comments (include clause numbers)
✓		

18. RSL NSW Policies and Procedures

Agree	Disagree	Comments (include clause numbers)
✓		

19. Notices

Agree	Disagree	Comments (include clause numbers)
✓		

20. Savings, Transitional and Continuing Provisions

Agree	Disagree	Comments (include clause numbers)
✓		Para 20.2: Sub-Heading title of para should be Leading Letter Capitalised. Para 20.10: Sub-Heading title of para should be Leading Letter Capitalised.

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General Questions and Comments

1. APPENDIX A – Definitions:

- a. Commencement Date: Shouldn't this be **01 December 2019**?
- b. sub-Branch: Standardise non-capitalisation of the term 'sub-Branch' in these multiple definitions in this section. Remove spurious '-' from the end of 'sub-Branch Executive' definition.

2. Appendix B – Membership

- a. Appendix should start at paragraph '1', not 2. Sub-Heading title of para should be Leading Letter Capitalised.
- b. Para 10: Sub-Heading title of para should be Leading Letter Capitalised.
- c. Para 12: Sub-Heading title of para should be Leading Letter Capitalised.
- d. Para 13: Needs a date inserted.
- e. Para 14. A.: Standardise writing of '6' in this para – ie either '6', or 'six (6)' for consistency.

3. Appendix C – MEMBERS' MEETINGS CONDUCT AND VOTING PROCEDURE

- a. Sub-Section: **Motions for General Meeting. Comment:** Does there need to be a reference inserted somewhere here concerning whether or not a District Council 'endorses' a sub-Branch motion or not?
- b. Para 8: Sub-Heading title of para should be Leading Letter Capitalised.
- c. Para 12. B.: Should this para be amended to reflect reference to a quorum (as per para 25)? ie Amend to read: 'no Member may object to the meeting being adjourned, being held or continuing **unless a quorum no longer exists.**'

4. Appendix D – DISPUTE RESOLUTION AND DISCIPLINARY PROCEDURES

- a. NIL Comments

The Raymond Terrace RSL Sub-Branch submits the above comments, suggested changes and amendments to the draft RSL NSW Constitution and associated Appendices for consideration for inclusion in the final draft.

Vic Jones

V.S. Jones
 President
 Raymond Terrace RSL Sub-Branch