



R S L N S W

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our veterans and their families

Roles, Responsibilities, Powers and Duties of Office Holders [Un-Incorporated] sub-Branches

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1. Overview

This Standard Operating Procedure (SOP) will cover the roles, responsibilities, powers and duties of persons governing sub-Branches and managing sub-Branch property. The structure of an incorporated sub-Branch is set out in the Incorporated Entity SOP.

2. Sub-Branch Office Holders

2.1 Sub-Branch Office Holders

The day to day business of a sub-Branches is to be conducted by the sub-Branch Executive. In [unincorporated sub-Branches] the Trustees of the sub-Branch also have key roles and duties in managing sub-Branch property.

2.2 Composition of sub-Branch Executive and General Committee

- a) The sub-Branch Executive may include
 - (i) one President;
 - (ii) up to two Vice Presidents;
 - (iii) Secretary; and
 - (iv) Treasurer.
- b) The minimum requirement for the composition of the sub-Branch Executive is set out in clause 13.4 of the Constitution. No one person may hold at any one time more than one of the positions of President, Vice President, Treasurer or Secretary.
- c) The sub-Branch may elect general committee members including:
 - (i) Welfare and Pensions Officer;
 - (ii) Membership Officer; and
 - (iii) Assets Officer.
- d) In this SOP, these appointments will be referred to as general committee members.

2.3 Appointment of sub-Branch Executive and General Committee

- a) The sub-Branch Executive appointed from its financial members. The sub-Branch Executive appointments are to be made by election in accordance with clause 13 of the Constitution and the sub-Branch and District Council Election Procedures SOP.
- b) Members of the sub-Branch Executive hold office for the period set out in clauses 13.11 - 13.14 of the Constitution.
- c) The Members of a sub-Branch may elect other financial members to fulfil appointments on the General Committee. Election will be conducted in accordance with the sub-Branch and District Council Election Procedures SOP.
- d) Members of the sub-Branch General Committee hold office in the same way as a member of the sub-Branch Executive set out in clause 13.11-13.14 of the Constitution.

2.4 Trustees

Sub-Branch Trustees are not office holders. Their role, as holders of sub-Branch property is defined by the legal obligations they have as trustees to the beneficiaries of the assets of the trust. The sub-Branch must appoint Trustees in accordance with clause 13.52 – 13.62 of the Constitution.

2.5 General Obligations

- a) Members of the sub-Branch Executive, General Committee and the sub-Branch Trustees must fulfil their responsibilities in accordance with the duties and responsibilities set out below. Specifically:
 - (i) the role and responsibilities of the President are set out in clause 3;
 - (ii) the role and responsibilities of the Vice President are set out in clause 4;
 - (iii) the role and responsibilities of the Secretary are set out in clause 5;
 - (iv) the role and responsibilities of the Treasurer are set out in clause 6;
 - (v) the roles and responsibilities of the General Committee members are set out in clause 7;
 - (vi) the roles and responsibilities of the Trustees are set out in clause 8.
- b) They must also act in accordance with the Constitution and the associated SOPs. All officeholders of a sub-Branch must ensure that they perform their roles in such a way that ensures that they and their sub-Branch meet the requirements of the Governance Standards prescribed in the Australian Charities and Not For Profit Act 2012 (Cth). They must also ensure that fundraising activity is conducted in accordance with applicable legislation for example, for NSW fundraising activity, the Charitable Fundraising Act 1991 (NSW).
- c) All officeholders and Trustees must ensure that a detailed handover is performed to their successor when they cease holding office.
- d) The specific responsibilities and duties listed below are not an exhaustive. Sub-Branches may add additional duties if they so decide.

3. DUTIES AND RESPONSIBILITIES OF THE PRESIDENT

- a) The President is the most senior executive officer of the sub-Branch. In addition to the duties and obligations set out in 2.5 above, the President is responsible for:
 - (i) the successful corporate governance of the sub-Branch or other subsidiary so that it is always in a position to meet its creditors;
 - (ii) ensuring that any Trustees are kept informed of anything that may affect their ability to fulfil their duties;
 - (iii) the leadership, forward planning, strategy and continual improvement of the sub-Branch or other subsidiary;
 - (iv) close supervision of other executive and general committee members;
 - (v) ensuring that any complaints of management irregularities of the sub-Branch or other subsidiary are promptly investigated (by an independent and qualified person) and corrective action is taken immediately the results of the investigation are known;
 - (vi) representing the sub-Branch or other subsidiary at functions, ceremonies and other activities;
 - (vii) acting as Principal Host or Hostess at functions, ceremonies or activities;
 - (viii) proposing the Loyal Toast at dinners;
 - (ix) chairing meetings of the sub-Branch including Committee, monthly and Annual General Meetings;

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- (x) acting subject to any expressed or implied instructions, on behalf of the sub-Branch or other subsidiary and its committee in the interval between meetings;
 - (xi) performing any other duties that may be assigned from time to time by RSL NSW and/or District Council.
 - (xii) ensure that sub-Branches have financial management practices in place to ensure that a sub-Branch's resources are used effectively and protected from misuse when sub-Branches receive donations from the public, government funding and taxation concessions or exemptions.
- b) The President is also a co-signatory to sub-Branch bank accounts.
 - c) He or she may only delegate their duties in case of illness or other unforeseen reason.

4. DUTIES AND RESPONSIBILITIES OF THE VICE PRESIDENT(S)

The Vice President must undertake the following duties and responsibilities:

- a) understudy the President and be prepared to act in the President's place should the need arise;
- b) assist the President with the conduct of his/her duties and responsibilities and maintain a thorough understanding of the President's duties and responsibilities;
- c) assist the other executive or committee members with their duties as directed by the President, executive or a meeting;
- d) any other duties assigned to them by the President or executive.

5. DUTIES AND RESPONSIBILITIES OF THE SECRETARY

The Secretary is responsible for the effective administration of the sub-Branch and in doing so must perform the following duties and responsibilities:

- a) organise the conduct of all meetings;
- b) collate and publish meeting minutes and actions;
- c) collect and distribute mail;
- d) maintain the copies of the Constitution and SOPs and any other publications used in the conduct of sub-Branch business;
- e) maintain standard forms and documents for use by the Members;
- f) maintain the sub-Branch Member's roll and personal particulars;
- g) hold the sub-Branch post office box key;
- h) maintain correspondence in and out and submit to meetings as required;
- i) security of the buildings, office space and assets owned by the sub-Branch or other subsidiary;
- j) issuing keys and maintenance of the key register;
- k) account for the expenditure of petty cash, if applicable;
- l) maintain the register of assets and ensuring that a 10% check of assets is conducted monthly prior to the monthly meeting and discrepancies are brought to the notice of the meeting;
- m) purchase, security and issue of receipt books;
- n) report immediately, to the President, any known or suspected management irregularities;
- o) compile and dispatch Annual Returns to RSL NSW by the due date each year;
- p) ensure that capitation and affiliation fees are paid by the due date each year;
- q) efficiently manage records management of the sub-Branch, Auxiliary, Youth Club, Chapter or other subsidiary;
- r) bringing to the notice of the executive those members who meet the criteria for awards in accordance with the SOPs;

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- s) notify RSL NSW immediately of the death of a member, change of address or transfer to another sub-Branch;
 - t) supervise the Recruiting Officer;
 - u) ensure that 'Working with Children' and other due diligence checks are carried out on all adults involved in fundraising, where it includes children, Youth Club activities etc.;
 - v) ensure that appropriate backups are made of all computerised records and stored in a secure location;
 - w) perform any other duties assigned to them by the President or sub-Branch Executive.
 - x) the Secretary is also the co-signatory of banking accounts.

6. DUTIES AND RESPONSIBILITIES OF TREASURER

- a) The Treasurer is responsible for the effective financial management of the sub-Branch and in doing so must perform the following duties and responsibilities:
 - (i) properly keep all books of account and accounting documents;
 - (ii) receipt, safe custody, banking and disbursement of all sub-Branch or other subsidiary monies, including cheques, money orders etc;
 - (iii) prompt issue of receipts promptly;
 - (iv) security and safe keeping of all accounting documents and the cheque book(s) in their care;
 - (v) preparation and presentation to meetings of up to date periodical financial report and accounts for payment;
 - (vi) preparation of accounts for Members, their distribution and subsequent advice to the executive of unpaid accounts by the date prescribed for payment;
 - (vii) reconcile bank statements at regular intervals;
 - (viii) pay accounts and reimburse expenses in accordance with the minutes of meetings;
 - (ix) to send out and if necessary, follow up accounts for monies due to the organisation;
 - (x) prepare Business Activity Statements;
 - (xi) ensure that if a Charitable Fundraising Authority (CFA) is held, records are properly maintained and comply with the CFA;
 - (xii) ensure that an appropriate audit trail exists for all entries in the books of account of the sub-Branch or other subsidiary;
 - (xiii) prepare the books of account for audit if required by ACNC;
 - (xiv) compile annual financial reports;
 - (xv) provide Trustees with all financial reports, records or documents required by them in the performance of their duties;
 - (xvi) in conjunction with the other executive committee members, prepare the annual sub-Branch budget for presentation to the AGM and submitted TO ANZAC House;
 - (xvii) other duties assigned by the President, executive or as a result of meetings.
 - (xviii) ensure that appropriate backups are made of all computerised accounting records and stored in a secure location.

- b) The Treasurer is also the co-signatory of banking accounts;

7. DUTIES AND RESPONSIBILITIES OF OTHER COMMITTEE APPOINTMENTS

7.1 Welfare/Pensions Officer

The responsibilities Welfare/ Pension Officers are to:

- a) have the members interest at heart, not their own agenda;

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- b) inform the member or their family, of the facts so that they are able to make an informed decision regarding their claim;
 - c) be aware of their obligations to keep information they receive in their role confidential and any other obligations they may have under privacy legislation;
 - d) take time to plan meetings with members or their family;
 - e) be honest and sympathetic in dealings with a member or his/her family;
 - f) listen and prompt members for further information;
 - g) discuss the options available to a person being advised remembering that the final decision rests with the member or family
 - h) ensure they do not give unqualified advice, i.e. on financial matters, nor give assurances that they cannot keep; and
 - i) only provide information and advice on those matters for which they have received training.

7.2 Membership Officer

The duties and responsibilities of Membership Officers are to:

- a) know the classifications of membership and who is entitled to join the League;
- b) actively promote the League and membership;
- c) plan recruiting activities at significant events and yearly recruiting targets (Once ratified at the AGM, this plan is to be forwarded to the District Council);
- d) target potential new members, retention of existing members and regaining former members;
- e) forecast the yearly costs of recruiting and present these at the AGM for ratification;
- f) maintain a close relationship with ADF units in the membership catchment area;
- g) engage local media in recruiting efforts, sometimes an interview in a newspaper is better value than an ad; and
- h) to ensure, with the Secretary, that new members are welcomed to the sub-Branch.
- i) manage and control the membership records in accordance with the requirements of the "Manage Membership" SOP.

7.3 Assets Officer

The duties and responsibilities of the Assets Officer are to:

- a) maintain the assets register;
- b) bring items to charge on the assets register as they are purchased or donated;
- c) ensure folios in the assets register are complete and sequentially numbered;
- d) write off or auction/tender items (that are still functional) no longer required by the sub-Branch or other subsidiary;
- e) ensure all assets so written off or auctioned/tendered are removed from the sub-Branch or other subsidiary property as soon as possible;
- f) as at 30 November each calendar year, revalue assets in accordance with the direction given at the October meeting;
- g) present the new value of all assets to the December monthly meeting;
- h) be responsible for monthly spot-checks of assets (in conjunction with the Secretary); and
- i) be responsible for the security of sub-Branch assets (in conjunction with the Secretary).

8. DUTIES AND RESPONSIBILITIES OF TRUSTEES

8.1 General

Trustees have specific duties at common law and under the Trustee Act 1925 (NSW). The parameters of their role and specific obligations are set up in their Deed of Appointment and clauses 13.52-13.86 of the Constitution.

8.2 Trustees Relationship with the Management Committee

In performing their Trustee obligations, Trustees:

- a) may attend Management Committee meetings;
- b) must speak on matters affecting their Trusteeship;
- c) exercise their legal obligations;
- d) must make enquiries as are relevant to matters affecting their Trusteeship;
- e) ensure that they are properly and fully informed before they exercise their powers and discretions;
- f) upon satisfying themselves that they are acting in accordance with the duties and obligations of their office a Trustee, must implement the proper decisions of the Management Committee in so far as those decisions affect trust property;
- g) ensure that Trust Deeds are prepared by a solicitor and registered in a timely manner as required by the Trustee Act 1925 (NSW);
- h) act in accordance with a resolution, instruction or direction of the sub-Branch members, committee or RSL NSW subject to the Constitution.

9. References & Resources

Legislation, Standards, etc related to this procedure

Australian Charities and Not for Profits Commission Act 2012 (Cth)

Charities Act 2013 (Cth)

Trustees Act 1925 (NSW)

A New Tax System (Goods and Services Tax) Act 1999 (Cth)

Charitable Fundraising Act 1991 (NSW)

10. Document Control

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