

MINUTES OF THE 2019 ANNUAL GENERAL MEETING OF THE RETURNED & SERVICES LEAGUE OF AUSTRALIA (NEW SOUTH WALES BRANCH) HELD IN THE THEATRE, ALBURY ENTERTAINMENT CENTRE, 525 SWIFT STREET, ALBURY NSW ON TUESDAY, 28 OCTOBER 2019 AT 9.06 AM.

PRESENT: Messrs R James (Acting President), D Bell, P Bridie, P Chin, J Hutcheson, Ms S Lambkin, Ms S Ray, Messrs B Slattery and J Tuckfield, and Mr N Mowat (Company Secretary).

TIMEKEEPER: Mr J Dallas

IN ATTENDANCE: 289 sub-Branch and District Council Delegates, Alternate Delegates, the Chief Executive Officer, the General Counsel, the State Secretary, Members of the Executive *Management* team, staff, observers and members of the media.

MC: Mr Greg Aplin acted as Master of Ceremonies for the meeting.

OPENING AND HOUSEKEEPING: Mr Aplin called proceedings to order and welcomed Delegates and guests.

He outlined the housekeeping arrangements for the meeting, advised that proceedings were being livestreamed and reminded Delegates to please return their voting devices to staff at the close of the meeting. He then called on the Acting President to open the meeting.

QUORUM AND OPENING, CHAIR AND MEETING RULES: Mr James, the Acting President, noted that a quorum was present and declared the meeting open at 9.06 am.

He advised that as the State President had resigned, in accordance with Clause 21.6 of the constitution, he would chair the meeting.

SPEAKING ARRANGEMENTS: He introduced the Board of Directors and the Company Secretary and then outlined the rules and procedures to be used during the meeting, including:

- the speaking arrangements and microphone locations; and
- that electronic voting devices would be the method used for Delegates to vote and that voting details would be retained for verification purposes.

TIMEKEEPER: Mr James Dallas was appointed as the Timekeeper.

SUSPENSION COMMITTEE: The following members were appointed to the Suspension Committee following a call for nominations from the floor:

Mr Bryan Slattery (Director)
Mr Ken Craddock (Narrabri and NWDC)
Mr Alan Barnes (Kingsgrove)
Mr Geoff Lazar (Burwood)
Mr Dave Pankhurst (Ourimbah Lisarow)

The Chairman called for motions from the floor. Three motions were submitted, for consideration by the Suspension Committee.

ADJOURNMENT: *At this point, the meeting was adjourned to permit the Suspension Committee to consider the motions submitted. The meeting reconvened at 9.50 am.*

MOTION
ACCEPTED:

The Chairman informed the meeting that one motion had been accepted and two rejected. He then read aloud the accepted resolution:

DVA Allied Health Referrals – new treatment cycle

That RSL NSW lobby the Department of Veterans' Affairs for a return to the previous system of allowing the referring doctor to determine the period of validity for a referral under the Allied Health Referral Scheme according to the nature of the condition being treated under the one year cap."

The meeting approved the resolution for consideration later in the meeting.

The Chair informed Delegates that the accepted motion would be copied and circulated for consideration as the last item on the agenda.

MINUTES AND
REPORTS &
ACCOUNTS:

Minutes of Congress – May 2018 and December 2018

The minutes of the Annual State Congress held in May 2018 and the Extraordinary State Congress held in December 2018 were approved for signing as a true and correct record of the proceedings of those meetings.

Congress noted:

- the CEO's Report on the strategic plan for RSL NSW;
- the financial statements and auditors' report for RSL NSW for the financial year ended 30 June 2019 and
- the annual report of RSL NSW for the year ended 30 June 2019 which had been lodged with the Minister.

TEST MOTION:

A 'test' motion was undertaken to give Delegates an opportunity to trial the use of the handheld voting devices.

STANDING
MOTION:

Resolution 1: Membership fees

On behalf of the Board, the State Treasurer, Mr P Chin, moved Resolution 1 in the Notice of Meeting as an ordinary resolution:

"That in accordance with the RSL NSW Constitution – Clause 16.7 & By-Law No. 2 – item 43 – the annual subscription for 2020 be \$35.00 and that the breakdown for the annual subscription be as follows:

- **Capitation fees to RSL NSW be \$25.00 and**
- **the retention fee to RSL sub-Branch be \$10.00."**

Seconder: Mr B Slattery (Director) seconded the motion and spoke in favour of it.

The Chair opened the floor to questions and comments from Delegates. The Delegate from Cronulla sub-Branch spoke against the motion and requested that fees be reduced or eliminated, or that the Board allow sub-Branches to subsidise their members' fees.

Following an opportunity for all Delegates who wished to speak for or against the motion, the Chair directed that a vote to be taken.

Results – Membership Fees

FOR – 86%

AGAINST – 14%

The Chair declared the motion carried.

STANDING MOTION
(cont'd):

He informed the meeting that the Board would consider the matter of the subsidisation of fees at the Board meeting to be held on 21 November and would advise members of the outcome of that discussion in due course.

CONSTITUTIONAL
MOTIONS
REQUIRING A
CONSTITUTIONAL
MAJORITY OF 66%:

Resolution 2: Special Resolution - Adoption of the Proposed Constitution

Mr Bryan Slattery (Director) moved Resolution 2 in the Notice of Meeting as a special resolution:

“THAT the Constitution annexed to and circulated with the Notice of Meeting as Annexure B be adopted as the Constitution of RSL NSW in place of the existing Constitution, with effect from 1 December 2019.”

Seconder: Mr L Cordner (Central Southern District Council) seconded the motion and spoke in favour of it, noting the support of the District Councils through the DC7.

The Chair opened the floor to questions and comments from Delegates.

The Delegates from Bundeena and Brooklyn spoke against the motion and the proposer and seconder exercised their right of reply.

Following an opportunity for other Delegates to speak either for or against the motion, the Chair directed that a vote to be taken.

Results - Adoption of the proposed constitution

FOR – 69.5%

AGAINST – 30.5%

The Chair declared the motion carried.

In light of the adoption of the new RSL NSW Constitution in the previous resolution, the Chair questioned Mr L Newman, the proposer of motions 3-6 and the Delegate from Chester Hill-Carramar, whether the sub-Branch wished to withdraw the motions.

Mr Newman advised that he did not wish to withdraw the motions.

The Chair informed the meeting that, should motions 3 to 6 be adopted, they would only have effect until the new constitution came into effect on 1 December 2019.

Resolution 3: Special Resolution - Amend clause 16.7 of the RSL NSW Constitution

Mr Lloyd Newman (Chester Hill-Carramar sub-Branch) moved Resolution 3 in the Notice of Meeting as a special resolution:

**“That Clause 16. 7 of the RSL NSW Constitution be amended to read as follows:
‘Members are required to pay to their sub-Branch an Annual Membership Fee of not less than \$1 and not more than \$10 as determined by their sub-Branch with part of this Fee to be deemed the Levy required to be paid in accordance with Clause 16.6.’”**

He advised that a reasonable fee helps sub-Branches to fund their operations but any more than \$10 was unreasonable.

Seconder: Mr D Clark ((Far Western Metropolitan District Council) seconded the motion and spoke in favour of it.

CONSTITUTIONAL
MOTIONS (cont'd):

The Chair opened the floor to questions and comments from Delegates.

Mr G Mount (Singleton sub-Branch) spoke against the motion, indicating that it was irrelevant in light of the adoption of the new constitution.

There were no further speakers for or against the motion. The Chair directed that a vote to be taken.

Results – Special Resolution – Amend Clause 16.7 of the RSL NSW Constitution

FOR – 22%

AGAINST – 78%

The Chair declared the motion lost.

WITHDRAWAL OF
MOTIONS 4-6 IN
THE NOTICE OF
MEETING:

4. Amend By-Law 2 item 41 – **WITHDRAWN**

5. Amend By-Law 2 item 43 – **WITHDRAWN**

6. Replace Header in By-Law 2 - **WITHDRAWN**

Simple Majority Motions

VETERANS'
AFFAIRS:

7. Veterans Card Issued to Allied Veterans – **CARRIED (72.4%)**

“That RSL NSW make representation to the Department of Veterans’ Affairs/Minister for Veterans’ Affairs to suggest that the proposed Veterans Card be also issued to Allied Veterans, who are permanent residents of Australia.”

8. Medical Practitioner Rebate – **CARRIED (96.9%)**

“That RSL NSW approach the Department of Veterans’ Affairs to lobby that the Medical fraternity and its associated bodies be allowed to receive the same rate of compensation for services rendered to veterans who either possess a White Card or Gold Card as they would for persons treated under the Governments Workcover agreement.”

9. Psychiatric Treatment Waiting Times – **CARRIED (97.6%)**

“That RSL NSW investigate excessive waiting time for veterans seeking psychiatric appointments.”

10. Defence Pensions Incongruent with Aged/Other Pension Increases (**CARRIED (100%)**)

“That RSL NSW take action to address with Government the continuing issue of Defence pensions falling behind in their rate of increase compared to Age and other Pension increases.”

11. Defence Pensions and Self-Managed Super Fund Tax – **CARRIED (98.3%)**

“That RSL NSW take action to address with Government the issue of Defence pensions being included in the calculation of the gross value of ex-Defence members Self-Managed Super Funds and the imposition thereof of tax at 15% for any values above the newly set cap.”

12. – Veteran Question on the 2021 Census - **CARRIED (99.3%)**

“That RSL NSW, on behalf of its members, and through the appropriate channel, make representation to the Minister for Veterans and Defence Personnel and the Assistant Treasurer to reaffirm the critical importance of the inclusion of a question in the 2021 Census identifying service in the Australian Defence Force (ADF).”

SOCIAL SERVICES
AND TAXES:

13. Use of DVA File Number in NSW – CARRIED (96.6%)

“That the NSW Government be lobbied to accept a DVA File Numbers to access concessions in NSW in place of a Centrelink/DHS Customer Reference Number (CRN).”

RSL NSW:

14. RSL NSW Comments to Productivity Commission (CARRIED 99%)

“That RSL NSW revisit their comments to the Productivity Commission Enquiry with regard to the Veterans Gold Cards/White Cards and other entitlements and promulgate a more appropriate advice on the issue of Veteran Health Cards.”

15. Motions Actioned with Shared Responsibility (CARRIED 82.7%)

“That all motions approved at an RSL NSW Congress, Annual General (AGM) or Extraordinary General Meeting (EGM) be actioned with a shared responsibility, which may vary depending on action/s required, between RSL NSW, the Proposer and the Endorser.”

16. Register of Motions (CARRIED 96.9%)

“That RSL NSW create, maintain and provide to members prior to State Congress each year a summary Register of Motions passed at the previous State Congress, showing for each Motion an outline plan for action, desired target/s and actual outcome/s, including responsibilities for implementation by all stakeholders including RSL NSW, Proposer and Endorser.”

17. Summary of Motions – CARRIED (97.3%) (Amended at the meeting)

“That RSL NSW provides to members within two calendar months of the conclusion of the State Congress each year a summary (Register) of Motions that were passed at that Meeting, to show for each Motion an outline plan for action, with a focus on desired targets and outcomes, including shared responsibilities for follow up and implementation by all stakeholders including RSL NSW, Proposer and Endorser.”

18. Annual Reporting for sub-Branches – CARRIED (87.8%)

“That sub-Branches may submit an attachment in their annual reports that outlines and promotes the efforts and achievements of the sub Branch (against a standard template) and be submitted accompanying the SBA.”

ANZAC,
COMMEMORATION,
CERREMONIAL
AND MEMORIALS:

19. Upgrade to Regimental Square – CARRIED (99%)

“That RSL NSW make representation to the City of Sydney to assess the usage of the immediate area surrounding the memorial and potential upgrade to the western face of the memorial and eastern forecourt to promote a more respectful use of the memorial space.”

20. Kokoda Trail Transfer – CARRIED (90%)

“That the Returned and Services League of Australia calls on The Hon Scott Morrison MP, Prime Minister of Australia, to transfer responsibility for the identification, protection and interpretation, of our wartime heritage along the Kokoda Trail from the Department of Foreign Affairs and Trade (DFAT) to the Department of Veterans Affairs (DVA).”

DEFENCE &
FOREIGN AFFAIRS:

21. Anniversary of National Service Medal to Merchant Navy/Mercantile Marine – CARRIED (62.3%)

“That the Returned and Services League of Australia (New South Wales Branch) request RSL National make representation to the Federal Government and Minister for Defence to recommend to the Governor General that the following amendment be made to the determination under the Anniversary of National Service Medal 1951 - 1972 regulation:

DEFENCE &
FOREIGN AFFAIRS
(cont'd):

Members of the Merchant Navy / Mercantile Marine who registered for National Service, had that service deferred by the Minister and then had that capability of volunteering removed due to the nature of their Mercantile Marine service being in the public interest; satisfies the requirements applicable to be awarded the medal."

GENERAL
STANDING POLICY
ON VARIOUS
MATTERS:

22. Legal Assistance to Veterans – CARRIED (99.7%)
"That RSL NSW makes representations to the Law Society of NSW to approve Volunteer category practicing certificates for lawyers working pro bono with accredited veterans' advocacy centres and not just with community legal centres."

ADJOURNMENT:

The meeting was adjourned at 11.39 am and reconvened at 11.54 am.

SUSPENSION
COMMITTEE
CONSIDERATIONS:

The Chairman informed the meeting that three resolutions had been considered by the Suspension Committee, with the following outcomes:

1. the motion proposed by Windsor & District sub-Branch had been rejected as not meeting the requirements to consider it;
2. the sub-Branch insurance motion proposed by the Intramural District Council had been rejected as not meeting the requirements to consider it; and
3. the DVA Allied Health Treatments motion proposed by the Intramural District Council had been accepted to be considered.

He advised that there would be a two-step process, being:

1. a vote to accept or reject the motion; and
2. a vote on the motions that were accepted for debate.

The meeting discussed the motion following which it was agreed to consider the motion on a show of hands.

ADDITIONAL
MOTION FROM
SUSPENSION
COMMITTEE:

23. DVA Allied Health Referrals – new treatment cycle – CARRIED (86.8%)
"That RSL NSW lobby the Department of Veterans' Affairs for a return to the previous system of allowing the referring doctor to determine the period of validity for a referral under the Allied Health Referral Scheme according to the nature of the condition being treated under the one year cap."

NEXT CONGRESS:

25-28 October 2020 at the William Inglis Stables, Warwick Farm – Lost on a show of hands

The Chair advised that a tentative booking had been made with the William Inglis Stables at Warwick Farm from Sunday 25th to Wednesday 28th October 2020.

He opened the floor to discussion on the matter.

Following comments and suggestions from Delegates in relation to a number of potential regional venues, **IT WAS RESOLVED** to delegate authority to the Board to determine a venue and to advise members in due course.

VOTE OF THANKS:

The Chair offered a vote of thanks to those involved in managing the venue and arrangements for the congress, including the Albury sub-Branch, venue staff and the staff of RSL NSW.

MINUTES (cont'd):

He advised that the minutes of the AGM would be available by 29 November 2019 on the website.

MINUTES OF AGM
(cont'd):

He advised Delegates that he would sign the draft minutes at the first Board meeting after that date if no feedback or amendments was received from Delegates.

A copy of the signed minutes would be made available to members on the website.

CLOSURE:

The Chairman declared the meeting closed at 12.28 pm.

Approved as a true and correct record of the proceedings of the meeting.

Chairman:

Date: