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by District Council Presidents**



R S L N S W

Respecting, supporting and remembering
our veterans and their families

Standard Operating Procedure 11

RSL Chapters

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1. Purpose

This Standard Operating Procedure (**SOP**) applies to all RSL Chapters and the RSL sub-Branches to which they are attached.

The RSL Chapter option is available to establish an initial presence in a community, or where normal administrative functions carried out by existing sub-Branches become difficult to maintain as a result of a small and ageing membership base.

The sole purpose of an RSL Chapter is to promote community participation and involvement in remembrance and commemoration programmes and activities, recognising the sacrifices of those who have served, and preserving the memory of those who have suffered and paid the ultimate sacrifice from all wars and conflicts.

2. Procedure

2.1 Structure

- a) An RSL sub-Branch may establish an RSL Chapter in consultation with RSL NSW and with the prior approval of the Board, in a neighbouring area that does not have a presence
- b) An existing sub-Branch, rather than closing or amalgamating with a nearby sub-Branch because of falling membership numbers or insufficient volunteers to fill office bearer positions (see SOP 5) could decide to become a Chapter. In doing so the existing sub-Branch must seek a 'parent' sub-Branch willing to administratively support the Chapter.
- c) The RSL NSW Board has to approve the establishment of a Chapter.

2.2 Process to become a Chapter – from an existing sub-Branch

- a) A sub-Branch must pass a motion at a General Meeting to seek approval to become a Chapter. A copy of an example motion is in Annexure A.
- b) In passing such a motion, the sub-Branch requesting RSL NSW Board approval to become a chapter must receive in writing the agreement of a sponsoring sub-Branch (also see Actions of Trustees below) and the endorsement of the District Council. These supporting documents must be attached to the required motion.
- c) A sponsoring sub-Branch must agree in writing to provide full administrative support to the Chapter; including finance and insurance and be willing to accept any ownership of existing property, and liabilities. An example letter of support from a sponsoring sub-Branch is in Annexure A.
- d) An example of a request to the District Council from a sub-Branch wishing to become a Chapter is at Annexure A, as is an example of an affirmative response from the District Council.
- e) Actions of Trustees. Before the sub-Branch considers a motion on becoming a Chapter, the Trustees must provide the intended sponsoring sub-Branch with information by which that sub-Branch can make an informed decision; namely
 - Full financial statements (audited is preferred) and banking information
 - Full disclosure of property holdings, and
 - Full disclosure of any outstanding liabilities or actions

- f) Actions of Trustees. After the sub-Branch motion is passed (see 2.2 a) the Trustees, in conjunction with sub-Branch executives must prepare all necessary documents to affect a transfer of assets and liabilities, once the RSL NSW Board has approved the establishment of a Chapter.
- g) On receipt of the associated sub-Branch's approved motion to become a Chapter, the Trustees must:
- Prepare Transfer documents (if property is owned) and personal property
 - Prepare Statement of Financial Position to be provided to the sponsoring Sub-Branch
 - Prepare necessary requests to relinquish their trustee position. An example request is at Annexure B.

2.3. Process to become a Chapter - where there is no existing RSL presence

- a) Where a locality of ex-service people wishes to form a Chapter of the RSL, to meet the purpose of the charity, the nominated person must apply to the relevant District Council for endorsement. This application should identify the proposed sponsoring sub-Branch which would have to agree to administer the Chapter.
- b) Once such assurances are received, the Sponsoring sub-Branch must pass a motion at a General Meeting agreeing to support the establishment of a Chapter, detailing location and intended operation, including key personnel. An Example motion is at Annexure C.
- c) Once the sub-Branch motion is approved, it is passed to the District Council who endorses (or not) the application for RSL NSW Board approval.
- d) Once the RSL NSW Board has approved the application a notification is sent to the relevant District Council who is to instruct the sponsoring sub-Branch to complete the establishment process for the Chapter.

2.4 Membership

- 2.4.1 Members of the Chapter will become members of the sub-Branch which has administrative control of the Chapter. The sub-Branch will liaise with appointed representatives of the Chapter to ensure continuing community involvement by the League.
- 2.4.2 An RSL Chapter shall have no right of representation at District Council or State Congress.
- 2.4.3 Membership of an RSL Chapter shall be open to all financial Members of the RSL in NSW. Upon the financial Member of the RSL NSW becoming a member of the RSL Chapter they will be entitled to become a Member of the sponsoring sub-Branch.
- 2.4.4 Chapter Members as members of the sub-Branch may attend sub-Branch meetings, and could be appointed as a representative or delegate of that sub_Branch.
- 2.4.5 The Honorary Secretary of the RSL sub-Branch will keep a register of members of the Chapter.
- 2.4.6 Each RSL Chapter will appoint two members to the position of Coordinator (**RSL Chapter Coordinator**) and deputy, who will be responsible for liaising with the members of the Chapter, coordinating the Chapter activities, reporting to the sub-Branch on all Chapter fundraising and other activities, ensuring that all directions of the sub-Branch in relation to fundraising compliance are followed and providing an annual report to the President of the sub- Branch on

the activities of the Chapter.

2.4.7 The sub-Branch Executive shall be ex-officio members of the RSL Chapter.

2.5 Naming of Chapters

2.5.1 The Chapter shall be referred to as the: [name] Chapter of the [name] RSL sub-Branch.

2.6 Awards

2.6.1 All applications for Member honours and awards (which are granted by RSL National or RSL NSW) must be endorsed and submitted by the Chapter Coordinator through the sub-Branch and the District Council to RSL NSW for processing.

2.7 Discipline

2.7.1 All members of the RSL Chapter will be subject to the dispute resolution and disciplinary procedures applicable to RSL NSW Members as outlined in the Constitution.

2.7.2 Any dispute resolution procedure or disciplinary action relating to a Chapter Member can only proceed in accordance with the RSL NSW Constitution.

2.8 Meetings

2.8.1 The RSL Chapter Coordinator may call meetings of the members of the Chapter from time to time in order to assist with coordinating the activities of the Chapter.

2.8.2 The RSL Chapter Coordinator must call one meeting of the Chapter prior to the sub-Branch AGM in order to endorse the Chapter Coordinator's annual report to the sub-Branch President. This report should contain a review of the previous year's activities and the projected fundraising plan for the coming year.

2.8.3 The RSL Chapter Coordinator or Deputy should be available to present the Chapter's Annual Report to the sub-Branch AGM.

2.8.4 The RSL Chapter Coordinator should also meet with the RSL sub-Branch Treasurer during the creation of the sub-Branch annual budget so that any expense required to facilitate the activities of the Chapter are properly accounted for in the sub-Branch budget.

2.9 Finance

2.9.1 All money raised by the RSL Chapter must be directly deposited, without any deduction, at the direction of the sub-Branch into the nominated bank account of the sub-Branch to which the Chapter is attached. No RSL Chapter is to maintain a bank account separate from that of the sub-Branch.

2.9.2 All fundraising by the RSL Chapter must be carried out in accordance with the legislation and regulations relating to charitable fundraising in NSW and if applicable, the conditions of the sponsoring sub-Branch's Charitable Fundraising Authority (CFA).

2.9.3 Expenses related to the operation of the RSL Chapter are to be approved through the RSL sub-Branch as per the sub-Branch's expense approval protocol issued from time to time by the sub-

Branch.

2.9.4 An RSL Chapter must follow all reasonable directions given by the sub-Branch in relation to fundraising and must comply with all reasonable requests from the sub-Branch for documents or information in relation to fundraising activities by the Chapter.

2.9.5 Participation by an RSL Chapter in annual Appeals must be coordinated through the RSL sub-Branch to which the Chapter is attached.

2.10 Winding up a Chapter

The sub-Branch may seek approval to wind up a RSL Chapter provided that;

- (a) Prior notice has been given to the Chapter and sub-Branch Members at a General Meeting;
- (b) A simple majority of sub-Branch Members entitled to vote agree to the wind up of the RSL Chapter; and
- (c) A submission is forwarded to RSL NSW, supported by the District Council, obtaining Board approval to wind up the Chapter.

3 Definitions

Unless otherwise stated, capitalised terms used in this SOP have the meaning set out in Appendix A of the Constitution.

RSL Chapter Coordinator: A Member of RSL NSW appointed by an RSL Chapter to coordinate the activities and liaise with the members of the RSL Chapter and the sub-Branch.

Sub-Branch AGM: the annual general meeting held by a sub-Branch.

4 References & Resources

Establishment of a Chapter: Clause 15.24

Sub-Branch Committees: clause 15.14

Sub-Branch Meetings: SOP 3; 2.11 Motions

Membership: Clause 8.2(b), 8.2(c) and Appendix B Membership

Dispute resolution and Discipline: Clause 17 and Appendix D Dispute Resolution and Disciplinary Procedures

Legislation, Standards, etc related to this policy

Use of the letters RSL: RSL National By-Law 7 item 5 (b) (1) to (9)

Charitable Fundraising: *Charitable Fundraising Act 1991* (NSW); *Charitable Fundraising Regulation 2015* (NSW)

5 Document Control

Number	Version	Position Responsible	Approved By	Scheduled Review
X000	1.0		To be approved	Month 20XX

Draft

ANNEXURE A: EXAMPLES – SUB-BRANCH TO CHAPTER

2.2 (a) Example of a resolution passed by sub-Branch wishing to become a Chapter:

“That in accordance with clause 15.24 of the RSL NSW Constitution, [NAME] RSL sub-Branch resolves to:

- (a) Terminate its operation as a sub-Branch;*
- (b) Seek written agreement from [NAME] RSL sub-Branch to become a Chapter of that sub-Branch;*
- (c) Seek endorsement of this transition from [NAME] District Council;*
- (d) Seeks approval for this transition from the Board of RSL NSW; and*
- (e) Conditional upon such approval being granted, authorise the executive of the sub-Branch to take the appropriate steps as outlined in SOP 11 to facilitate the transition from a sub-Branch to a Chapter.”*

The above resolution, or any other such resolution to achieve the same result, must be passed by special resolution at a general meeting of the sub-Branch, with appropriate notice given to all members. The constitutional definition of a special resolution is:

Special Resolution means a resolution passed by a greater than two-thirds majority of persons present (in person or by proxy) and entitled to vote.

It requires as special resolution in order to be compliant with clause 15.42 (b) of the Constitution, copied below:

A sub-Branch may resolve, by Special Resolution of all sub-Branch Members:

- (a) to cease to be a sub-Branch and to return its Charter to RSL NSW;*
- (b) to terminate its operation as a sub-Branch, to return its Charter to RSL NSW and to apply to RSL NSW to be issued with a new Charter which will allow the terminating sub-Branch to operate as a Chapter within its current boundaries;*

2.2 (c) Example of agreement letters from sponsoring sub-Branch:

Letter from prospective Chapter to Sponsoring sub-Branch.

Dear Honorary Secretary,

The members of [NAME] RSL sub-Branch have resolved to terminate operation as a sub-Branch and seek approval from the Board of RSL NSW to become a Chapter.

Please find attached a copy of the minutes reflecting the approval of this action by the members of [Name] sub-Branch.

In order to progress this to the District Council and Board of RSL NSW, the members now request written confirmation from [SPONSORING] sub-Branch that your sub-Branch agrees to this action and will assume all administrative responsibility for the Chapter including membership, finances, insurance, property and any liabilities.

Subject to obtaining the necessary approvals, this sub-Branch will make all files and records, including membership records, minutes of meetings, full financial statements, deeds and insurance policies, available to your sub-Branch.

The executive members of the sub-Branch are available to provide your sub-Branch with any further information they require. We look forward to your response.

Regards,

cc: [NAME] District Council

Example of written agreement from the Sponsoring sub-Branch.

Dear Honorary Secretary,

The members of [SPONSORING] RSL sub-Branch resolved at our meeting of [DATE] to accept your sub-Branch as a Chapter under the provisions of the Constitution and SOP 11.

Please consider this letter as written agreement that we will accept all administrative responsibility including membership, finances, insurance, property and liabilities of the Chapter, conditional upon endorsement from [NAME] District Council and approval by the Board of RSL NSW.

Regards,

cc: [NAME] District Council

2.2 (d) Example of District Council endorsement:

Letter from prospective Chapter to DC.

Dear Honorary Secretary,

The members of [NAME] RSL sub-Branch have resolved to terminate operation as a sub-Branch and seek approval from the Board of RSL NSW to become a Chapter of [SPONSORING] RSL sub-Branch.

Please find attached a copy of the minutes reflecting the approval of this action by the members of [Name] sub-Branch. Also find enclosed a written agreement from [SPONSORING] sub-Branch.

In order to progress this to the Board of RSL NSW, the members now request a letter from [NAME] District Council endorsing the transition of this sub-Branch to a Chapter of [SPONSORING] sub-Branch.

The executive members of the sub-Branch are available to provide the District Council with any further information they require. We look forward to your response.

Regards,

cc: [SPONSORING] sub-Branch

Response from DC to prospective Chapter.

Dear Honorary Secretary,

The delegates of [NAME] District Council considered your request for endorsement of your intention to terminate operations as a sub-Branch and become a Chapter of [SPONSORING] RSL sub-Branch. It was resolved at the meeting of [DATE] to endorse your action noting that the members of your sub-Branch have agreed to it by special resolution and the sponsoring sub-Branch have agreed to assume all administrative responsibility for the proposed Chapter.

Please find enclosed a copy of the minutes of the DC for your records.

Please advise if there is any further support your sub-Branch needs from this District Council to facilitate the transition.

Regards,

cc: [SPONSORING] sub-Branch

ANNEXURE B: CHECKLIST

Becoming a Chapter

- 1) The sub-Branch executive are to prepare a formal notice to all members, either at a sub-Branch General Meeting and/or by mail/email or both, that consideration and direction is sought to closing the sub Branch and become a Chapter. This shall be duly recorded in the meeting minutes.
- 2) All Members will be given the opportunity to vote by postal ballot prior to the General Members Meeting, or by voting at a General Meeting, on whether to become a Chapter.
- 3) At the General Meeting, Members will resolve, by a simple majority:
 - a) For the Executive to explore becoming a Chapter of another Sub Branch; or
 - b) resolve the official/formal closure date of the sub Branch.
- 4) The Executive will then determine if there are a minimum of two (2) sub Branch members willing to become the Chapter Co-ordinator and Deputy Chapter co-ordinator. When these appointments are made, the Executive explores and locates a sub-Branch willing to accept ALL members and absorb Assets and Liabilities of the closing sub-Branch wishing to become a Chapter.
- 5) When both sub-Branches, agree in principle, that one shall become a Chapter of the other, the sub-Branch Executive of each sub-Branch at a General Meeting, will put to the members this agreement.
 - a) Closing Sub Branch Members – should resolve to:
 - i. Accept the nominated parent Sub Branch
 - ii. Terminate and return its Charter to RSL NSW, or A sub-Branch can request the retention of their Charter on the provision that it can be publicly and safely displayed. Approval of the RSL NSW Board is required.
 - iii. Authorise the sub-Branch Executive and Trustees to conduct and orderly wind up and closure of the sub Branch, including the transfer or sale of the real and personal property and memorabilia of the sub Branch, to the nominated Parent Sub Branch. Including the termination and finalisation of any leases or rental agreements, and payment of outstanding debts/expenses or liabilities.
 - b) Parent sub Branch members – should resolve to:
 - i. accept the closing sub Branch as a Chapter.
- 6) Sub-Branch Executive then seeks approval from RSL NSW to close the sub-Branch and become a Chapter prior to any further action.
- 7) Following RSL NSW Board approval, further action can proceed.
- 8) If both sub-Branches members resolve to proceed as agreed in (3) above, the closing sub-Branch's Executive & Trustees, proceed to complete an orderly winding up and closure of the sub-Branch.

Action Following Closure

- 1) Trustees and sub Branch executive agree on an official/formal closure date of the sub-Branch.
- 2) Completion of audit, Statement of Comprehensive Income (SBA1) and Statement of Financial Position (SBA2) for the period ending as at the agreed date of winding up.
- 3) Stocktake of all assets, fixtures and fittings as at date of winding up and prior to closure.
- 4) Lodgement of final BAS with the ATO.
- 5) Prior to cancellation of your ABN all tax liabilities need to be paid. Cancellation of your ABN will cancel your GST registration. Lodge your cancellation notice through the ABR and the ATO.
- 6) Lodgement of final AIS with the ACNC
- 7) Cancellation of registration as a Charity with the ACNC.
- 8) Surrendering your Charitable Fundraising Authority (CFA) with the NSW Fair Trading.
- 9) Close all bank accounts and transfer the monies to the parent sub-Branch, after all refunds from account closures have been received.
- 10) Close all investment accounts and transfer the monies to the parent sub-Branch.
- 11) Trustees are to arrange for the sale or transfer of title and ownership of any shares/listed & unlisted investments, with costs (stamp duty, legal fees, etc) to be paid from cash reserves.
- 12) Trustees arranging for the termination and payout of any leases, rental agreements no longer required, payment of debts/expenses and liabilities, with costs (stamp duty, legal fees, etc.) to paid out of the cash reserves of the sub-Branch.
- 13) All Trustees will remain in office until the official/formal closure date of the sub Branch.
- 14) All financial sub-Branch members are to be transferred to the Parent sub Branch.
- 15) A copy final bank statement for all sub-Branch or other accounts up to date of closure shall be forwarded to ANZAC House.
- 16) A copy of the final audited accounts for the sub-Branch as at the date of closure shall be forwarded to ANZAC House.

ANNEXURE C: EXAMPLES FOR A CHAPTER WITHOUT RSL PRESENCE

2.3 (b) Example of resolution to support establishment of a Chapter

“That the [NAME] RSL sub-Branch agrees to:

- (a) establish a Chapter at [LOCATION]*
- (b) take full administrative responsibility for the proposed Chapter*
- (c) appoint [PERSON 1] as coordinator and [PERSON 2] as deputy coordinator of the proposed Chapter*
- (d) authorises the sub-Branch executive to take the necessary steps to establish the Chapter including seeking endorsement from [NAME] District Council and approval from the Board of RSL NSW.”*

This resolution can be agreed with a simple majority at a general meeting of the sub-Branch.

2.3 (c) Example of letter to DC requesting endorsement and forward to the Board.

Dear Honorary Secretary,

The members of [NAME] RSL sub-Branch have resolved seek approval from the Board of RSL NSW to establish a Chapter at [LOCATION]. The sub-Branch agrees to take full administrative and financial responsibility for the Chapter and has two prospective appointees to the positions of coordinator and deputy coordinator of the proposed Chapter

Please find attached a copy of the minutes reflecting the approval of this action by the members of [Name] sub-Branch.

In order to progress this to the Board of RSL NSW, the members now request that [NAME] District Council endorse the establishment of the Chapter. Should the District Council endorse the proposal, we further request that you forward the matter to the Board of RSL NSW for their approval.

The executive members of the sub-Branch are available to provide the District Council with any further information they require. We look forward to your response.

Regards,