

To: Burwood sub-Branch (Attn: President and Member #406 Mr Malicki)

Cc:

Support (File)

C&M (For website – Strategic Plan members' feedback)

EO

Dear Stan

RE: Response to Mr Malicki - on Strategic Plan and related issues

Thank you for registering interest in attending the webinar about the draft strategic plan which is seeking members' feedback. I look forward to meeting you at the webinar.

I will respond to some of the questions you have asked in your email below.

1.

Q: You state one of the roles of the Sub Branch and RSL NSW is to bring it to a whole new meaning with helping veterans, a sponsor buddy system and comrade, where new members would want to be part of.

This was already a part of our sub branch until RSL NSW started dictating what we could do with our funds, and what was not allowable.

Any donations made by the Sub branch also had to have an amount paid to RSL NSW based under their TIER system and their approval.

A: You may have misunderstood the 'buddy' system that is proposed. The RSL's charitable purpose is to support all veterans and veterans families in need (see Constitution) not necessarily just RSL members. The 'buddy' is a trained RSL member (volunteer) who has a very good knowledge of services available to support veterans listed in the proposed 'catalogue' of services. The 'buddy' connects veterans in need to those services, such as funeral services. As a member of the RSL you are a volunteer and a person who can enjoy the camaraderie offered by the sub-Branch including what is proposed as 'sport and activities' between sub-Branches which is what younger veterans are looking for as younger generations don't like attending meetings, but are likely to join to participate in volunteering (helping older veterans) and fun activities. This is a tough realisation that the world has changed and the traditional membership model of belonging to a 'club' to receive a benefit has changed. RSL delegates at last years' Congress agreed that the RSL would remain a charity and remain member-based. These principles underpin the draft strategic plan. A 'member' cannot obtain a benefit from the charity they belong too unless they qualify as a veteran or a family member of a veteran in need of support.

It was not necessarily RSL NSW 'dictating' what a sub-Branch can and can't fund with charitable funds – it's the law. Members forget that it was only the State Branch HQ that was subject to an ACNC investigation (see 'Enforceable Undertaking' on RSL NSW website) not sub-Branches. However, the RSL NSW Board is accountable for what happens in every sub-Branch, and the same 'rules' apply to a sub-Branch as they do to the State Branch 'HQ.'

2.

Q: You stopped our Sub Branch providing a \$ 300 dollar annual voucher to members, which they could only spend in the RSL.

This provided an opportunity for members to get together, have a drink and meal with each other, discuss their problems if needed, with someone they could open up to.

It's a lot better to talk to a mate, who has also endured war trauma, as you can relate with. Each other Was this not a Buddy system? It was then called mateship.

A: I expect the \$300 'voucher' did not conform with the rules of charitable purpose – was it offered to all veterans? Or was it a member benefit? If the latter, was the recipient a veteran (or veterans family) in need and it could be justified as charitable purpose? Remember the sub-Branches separated from clubs in the 1970s – if a member wants a benefit like a 'voucher' – they need to obtain that from the club. Being a member of the RSL means being a volunteer to help others, participate in camaraderie, lead commemoration, fundraise as a volunteer etc. (see proposed strategic plan for a strong future, attracting new members)

I agree about 'mateship' the RSL can offer this – not an 'on-line' experience other 'ex-service organisation' charities are offering. The Department of Defence say there are over 4500 other registered ESO charities. They have appeared because younger veterans don't know what the RSL does or stands for - the RSL has to change to change this perception, hence the strategic plan. Younger generations see mateship a different way, and that's why we have to change to be relevant.

3.

Q: The Sub Branch used to arrange an annual outing usually four nights five days away for members and their wives, or partners or careers until RSL NSW stopped it.

I know members wives etc, really appreciated and looked forward to these annual trips as they could talk to other wives, and see they were not alone in looking after their veteran. They also formed friendships with other wives where they could contact each other to talk and discuss situations, whereas before they were forgotten and alone.

A: I'm sure 'annual trips away' were great – but see above. It has to be a trip open to all 'veterans and veterans families in need' – not be constrained to 'members' – the members would have to 'qualify' for charity if the trip was paid for by charitable funds, or of course they can pay their way.

RSL DefenceCare can fund funerals for veterans in need – if they meet the qualifying conditions, it's not a default from being a member. This absolves the need for sub-Branches trying to manage the process and determine if there is a legitimate need or not. This is why we are asking sub-Branches to donate to RSL DefenceCare. If you were a director (remember it's not a 'state council' anymore) you have a duty to ensure the charity (in its entirety) is being compliant with the ACNC and the RSL NSW Act and fundraising laws. Is your sub-Branch compliant? It took a judicial inquiry to expose the weaknesses in the previous governance structure of the RSL state branch – that inquiry did not cover sub-Branches so it falls upon directors of RSL to ensure all is in order or risk another formal inquiry. I have identified a need to do more training (beyond previous 'governance training') for all sub-Branches, and this is covered in the proposed strategic plan.

4.

Q: I am aware that there are two instances where Sub branches still pay the Death benefit at \$5000 and another at \$10,000. How is this so?

When our sub-branch was told it could no longer pay our \$5,000 benefit.

A: Please advise me if you know of a sub-Branch still paying a 'funeral benefit' – this is duty to call this out if it is still happening.

5.

Q: Last night two members raised this item in general business, for the Sub Branch to buy 50 small hams, but was advised it had to be for all the members. The mover then requested it be for all members, but this was again declined as the President said it was illegal, and he would not be a party to an illegal act..

It appears there is one rule for Sub branches that try to comply with RSL NSW directions and another for larger more financial Sub branches, that either find a loophole or simply do as they please

I am sure you are aware of these payments, but because they are the larger Sub branches, you either turn a blind eye or you are afraid to take them on.

A: The President is correct – the 'hams' should be for all veterans in your community in need, not members by default. Please advise if there is a sub-Branch providing such support for 'members' not specifically for veterans or families of veterans in need.

6.

Q: What was happening about payment of our membership fees, do we have to pay the member wanted to know?

His Club membership is now available for renewal and he needs to know if the Sub-Branch will pay the fees for 2021 and continue for future years. Burwood has approximately 300 Sub branch members and I can advise you now, if members are required to pay for their membership fee of \$30?, then the membership will drop by 50 to 75% is my assumption. You need to make a decision on this matter urgently, since Club membership renewals are being accepted now.

Burwood had a very good sub-branch system until RSL NSW became big brother and started to dictate what the Sub Branch could do, who to donate, and how it could spend the interest their investment earned.

RSL NSW wants all Sub Branches to have equal benefits, this can never be achieved unless you become like a communist state.

A: RSL NSW is not a 'big brother' – the world has changed, and we need to understand contemporary governance and consequences of being a charity regulated by the ACNC and various NSW Acts. As an RSL NSW sub-Branch, you must comply with the Constitution, which in turn means the directors of RSL NSW have accountability for compliance. The strategic plan suggests a way we can operate 'as one' strong organisation across the state, recognising that the sub-Branch is the centre of what we do. I have not been to Burwood sub-Branch to present the strategic plan and seek your feedback but have been invited to so many others.

The issue about 'club' membership is interesting. As a club member – the club is not a charity so benefits can be obtained by being a member. If you have a sub-Branch member who is in financial stress for instance he/she could have their membership fees for the sub-Branch paid. Remember, under our Constitution we support ALL veterans, so you don't have to be a member to be beneficiary of the RSL sub-Branch's charity. The strategic plan suggests you join the RSL to help others and each other, if in need and have fun. Membership of the RSL and a sub-Branch separates us from other charities. If you wear a badge it means you are standing up for and helping veterans and are being the custodian of commemoration and much more. (see draft strategic plan)

7.

Q: As a National Serviceman, I volunteered to go to Vietnam with an Infantry unit, to keep Australia safe, free and not allow our freedom to be taken away.

May I suggest you start considering and looking after the older veterans who started the Sub branches, rather than ignoring them in their latter years.

They deserve a lot better than what you are giving them now.

A: If you have members who are veterans in need of financial assistance – then their membership fees can be paid. I will re-promulgate what constitutes a veteran in financial distress, as advised in recent communications.

8.

Q: The younger veterans are already starting their own associations, rather than joining the Sub branches.

Maybe if you put the same effort into considering your current members and provided some benefits, rather than trying to entice people that see no benefit in joining .

A: I am very disappointed about your last comment about not worrying about younger veterans. It is un Australian and surprises me. WE want people to look after others – who is going to take care of older veterans if we don't have any younger volunteers? I respect you can have your view and are not alone in supporting a 'closing with dignity' strategy – but I would hope we would have more people wanting a strong future for the League – an organisation that stands for and by veterans.