

YEOVIL AND DISTRICT BRANCH

ROYAL BRITISH LEGION

Branch By-Laws

Yeovil and District Branch

Written herein, the following Branch By-Laws exist supplementary to The 2017 (Version 12) of the Royal Charter of Incorporation and Schedules, hereafter known as "the Royal Charter". They shall be binding upon the Officers and Members of the Yeovil and District Branch.

Any proposed alterations and/or amendments to the Bye-Laws contained herein shall, after being passed by a two-thirds majority of those members present, qualified to vote and voting on the relevant motion at the Annual General Meeting of the Branch, shall be submitted to the Somerset County Committee for the requisite approval, and shall not come into force until such approval has been received.

TITLE

The name of the Branch is:

"The Royal British Legion, Yeovil and District Branch" in the County of Somerset

Hereafter referred to in these By-Laws as 'the Branch '

LOCATION

Branch Committee Meetings will be held at:

Primarily the "Yeovil Ex Services and Social Club, Preston Road, Yeovil, Somerset.

The meeting location may be altered by a simple majority at the previous Committee Meeting, being dependent on availability of a suitable space.

MEMBERS

Membership of the Branch is open to everyone. You do not have to be a serving or ex-Service person. If you have an interest in the work of the Legion and want to help and support those who have served and their dependents, we welcome men and women of all ages, whether they have served in the Armed Forces or not.

Any member wishing to resign their membership of the Branch shall inform the Branch Secretary in writing of his/her wish to do so. Resignation must be accepted unless the Member concerned is at that time, being investigated under the auspices of the Legion's Complaints Procedures, in which case the wish to resign shall be referred to the body hearing the complaint. Following any resignation, the member concerned shall return their Membership card to the Branch Secretary.

Any former member of the Royal British Legion may not claim back any monies paid in, unless those monies were intended as a temporary loan.

Any Branch Member wishing to transfer their membership to another Branch must, as soon as is practicable, advise the Secretary of that Branch their intended course of transfer, so that all necessary administrative action is able to be successfully completed.

Any Member that changes their registered home address or postal address should inform the Branch Secretary as soon as possible, in order that Local and National Data records can be kept current and in full compliance with the relevant Data Protection legislation for the storage of personal data by a third party.

BRANCH STRUCTURE

The Officers of the Branch shall be as follows:

- 1. Chairman**
- 2. Vice-Chairman**
- 3. Secretary**
- 4. Treasurer**

The Branch Officers are elected to the Branch Committee for a period of between 1 (one) and 3 (three) calendar years, the period of which shall be decided at the Branch Annual General Meeting.

In addition, no more than 8 (eight) other members of the Branch can be available to fill the additional posts:

- 1. Branch Community Support Representative**
- 2. Assistant Community Support Representative**
- 3. Poppy Appeal Organizer**
- 4. Branch Fund Raising Coordinator**
- 5. Communications Officer**

The Branch Committee shall appoint, by invitation, a President to serve for a determined length of time as is seen fit at that juncture.

The Branch President shall be an invited Member of the Branch, but is not an Officer of the Branch Committee.

They are entitled to speak in an advisory and directional manner on any subject that is seen as being of value to the aims of the Branch, or the Royal British Legion as a whole, however they may not propose, second or vote on any matters requiring such action, at Branch and /or Committee Meetings.

The main duty of the Branch Committee is to actively promote the aims and functions of the Royal British Legion, within that Branch's geographical area, as prescribed in The Royal Charter

The Branch Committee are also trustee of all Branch assets, unless otherwise vested to another entity, and as such are required to enact and follow the “Duties and Responsibilities of Trustee” as defined by the Charities Act.

No person under the age of 18 (eighteen) years shall be either elected or appointed as a Branch Officer;

Nor shall they be appointed if they:

A – Have an unspent conviction for an offence involving dishonesty or deception

B – Have been disqualified as a company director under the Company Directors Disqualification Act

C – Are an un-discharged bankrupt

D – Have been removed from trusteeship of a charity by a Court of the Commissioners

BRANCH COMMITTEE

Governance and management of all Branch matters is entrusted to the Branch Officers and Branch Committee of whom 4 (four) shall form a quorum. In this instance ‘a quorum’ shall be defined as a minimum combination of 4(four) officer’s / branch committee members.

The Branch Committee should meet bi-monthly unless there are any pressing matters that shall require an additional meeting to those already planned and scheduled. This should expedite aims and functions of the Legion such as processing membership applications.

The Branch Committee and the quorum shall take a controlling oversight over all affairs pertaining to the Branch, in addition to which they shall ensure compliance with directions from the County/District Office.

ANNUAL GENERAL MEETING

The Annual General Meeting of the Branch must be held within 2 (two) months of the closure of the Legion financial year

The agenda shall include, but is not limited to:

1. Receiving reports of Branch activities during the past year
2. Receiving the Branch Financial Report for the past year, and adopting the audited Branch Accounts as agreed by the Branch Committee.
3. Electing the Branch Chairman, Vice Chairman, Secretary and Treasurer if required (length of time in office)
4. Where necessary electing the Branch Committee.
5. Nominating candidates for County and National Conferences
6. Appointment of a Branch Standard Bearer.
7. Deciding upon any other relevant matters or proposals, in addition to attending to any such pertinent business previously submitted to the Meeting for inclusion on the agenda.
8. Any Branch community support matters are able to be confirmed or otherwise, with the utmost confidentiality being maintained. County Community Support matters are coordinated by Dennis Cruze via the County Office
9. Complete in its entirety the Branch MS1, ready to be forwarded to the County Office Membership Support Coordinator

BRANCH COMMITTEE

The Branch may, at a Special General Meeting convened for that purpose, by resolution of the Branch Committee, or by request of not less than two thirds of its Members and Life Members, remove from office any Branch Committee Member, or Member who has resigned. Thereafter they may elect, at that meeting, another Member to replace the person removed. The replacement Officer shall be confirmed in post at the next Annual General Meeting.

The Chairman shall be the Presiding Officer at all branch Committee Meetings where they are present. If not available, the Vice-Chairman shall preside, and if both members are unavailable, the Meeting shall elect a temporary Presiding Officer.

In exceptional circumstances the Branch President may preside at the Branch Annual General Meeting or a Special General Meeting if so required.

The Branch Chairman or other presiding person may vote on any question or motion. In a tied vote any motion shall be 'not carried'

For election to office, if there is a tied vote, Committee Members shall be invited to partake in a 'secret ballot', with a second tied vote resulting in election by lot.

For election to an Officer's post, there shall be no "casting vote" from the Chair

No Branch official shall be in arrears with their subscription, less they forfeit that elected position.

CONFLICT OF INTEREST

There shall be no conflict of interests from within the Branch Committee, and they must ensure that the interests of the Charity are at all times paramount in their actions.

POPPY APPEAL AND COMMUNITY SUPPORT WORK

Yeovil and District Branch shall fully support the activities and the aims of the Poppy Appeal.

The Branch Community Support Representative shall coordinate their actions with the County Community Support Officer, with anonymity and confidentiality to be ensured over any matters discussed at a Branch level.

LIABILITY AND INDEMNITY

The Branch Treasurer is the lead person, and the only person who shall control the financial dealings of the Branch Committee. No other Officer or Member of the Committee or otherwise a Member of the Branch shall incur any liability or indemnity on behalf of the Branch, without express authority of the Branch Treasurer.

CORRESPONDENCE AND LETTER HEADING

All official Branch correspondence should be made using the Branch's title, the fact that it is a registered charity (219279) and include the Branch Reference Number (BR2555). No headed notepaper may be used in a potentially misleading way. This is to ensure full knowledge for the recipient, that the matter being discussed has been authorized.

FUND RAISING

The Branch and its Members may only partake in such fundraising activities that abide by those defined in the Legion's Objectives, vis a vis not to use the Legion headed notepaper in any manner apart from those sanctioned by the Branch Committee for official business.

Any funds raised between 14th October – 14th November must be credited to the Poppy Appeal.

DUTIES OF BRANCH OFFICERS

BRANCH CHAIRMAN

- As the Senior Elected Officer of the Branch Committee – to direct and oversee all Branch activities
- To Chair the Branch Meetings and be conversant with The Royal Charter and other Legion publications
- To control meetings effectively, ensure that they are properly planned and timed. Encourage participation from all colleagues
- Delegation of duties and performance monitoring
- Ensuring proper handovers take with all relevant paperwork being accounted for.
- To make sure that the financial audit takes place along with the handover/security of cheque books
- To set an example as an active Member and be available for advice and consultation in all matters
- To ensure full Branch compliance with all regulatory matters and procedures as necessary
- To ensure that all Branch Committee Members are aware of their responsibilities and receive such training and counsel as needed

BRANCH VICE CHAIRMAN

- To deputise for the Chairman in his absence
- To be fully conversant with The Royal Charter Rules and Schedules
- To undertake any other such duties as may be required or delegated to him by the Chairman

BRANCH SECRETARY

- To liaise with the Chairman in the prep and planning of the agenda for all Branch Meetings
- To attend and record all minutes of General and Committee Meetings and to safeguard papers and legal documents such as insurance policies
- Receive all applications for membership and forward to the County Membership Support Officer
- To hold an up to date list of Branch Members, and to inform County Office of any relevant changes such as address variations, deaths and resignations
- To maintain an up to date set of all Legion Handbooks, Publications and guides for reference.
- To forward the completed MS1 to the County MSO within 28 (twenty-eight) days of the AGM.
- To forward to the County MSO any nominations or motions for the County Conference

BRANCH TREASURER

- To be responsible to the Branch Committee for the financial affairs of the Branch
- To control all financial transactions and record them accordingly, retaining receipts and supporting documents
- To ensure that all monies received are banked and recorded accordingly
- Ensure that the Branch account is audited and examined as required by The Royal Charter, and to submit the annual return to County / Head Office as soon as possible after the AGM
- To ensure that all cheques are filled out and signed by themselves and one other nominated Committee Member in accordance with the mandate.
- To ensure the Branch Committee shall annually authorize the limit to which the Treasurer may expend without reference to the Committee. This amount shall be recorded in the Minutes of the AGM

- Ensure that wherever possible all payments are made by cheque unless exceptional circumstances prevail, and those payments are reported to the Branch Committee
- If a petty cash system is to be used, that all monies are kept separate after having been authorized by the Committee.
- A monthly check is to be carried out by the Treasurer and one other Committee Member and sign the Petty Cash book to this effect.


THESE BYE LAWS WILL BE DEEMED TO BE EFFECTIVE UPON AGREEMENT BY THE YEOVIL AND DISTRICT BRANCH COMMITTEE OF THE ROYAL BRITISH LEGION.

SIGNED HEREUNDER BY THE FOLLOWING BRANCH OFFICERS 24th DAY OF APRIL 2018

Branch President


Lt Col CA LE HARDY


Branch Chairman


Simon D WOODROW

Branch Vice Chairman


Peter FORRESTER

Branch Treasurer


Andrew KENDALL

Branch Secretary


Daniel CROOKE