

ACT OF INCORPORATION &  
DOMINION BYLAWS

THE ARMY, NAVY & AIR FORCE  
VETERANS IN CANADA

JANUARY 2023

DOMINION HEADQUARTERS  
OTTAWA, ONTARIO

# THE ARMY, NAVY & AIR FORCE VETERANS IN CANADA

## ACT OF INCORPORATION

### 7-8 George V Chapter 70

*Assented to 20<sup>th</sup> September, 1917 and amended 16<sup>th</sup> June, 1920, 31<sup>st</sup> August 1946, 20<sup>th</sup> May, 1982.*

Whereas the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

1. Major-General John Hughes, Major-General Henry N. Ruttan, Captain Sir Hugh John Macdonald, Lieutenant-Colonel Sir Daniel Hunter McMillan, Judge David Marr Walker, Lieutenant-Colonel George Frederick Carruthers, J. Hilliard Leech, K.C., Major George F.R. Harris, Judge George Patterson, Lieutenant William Allen Shepard, William Johnston Tupper, K.C., Major Philip Edwards Prideaux, Captain Reginald Alton Tijon Alton, Edward W. Low, David J. Dyson, Bartholomew Murphy, Samuel Pearson, Samuel Simpson, and Joseph Henry Hammond, together with such other persons as become members of the Association hereby incorporated are hereby constituted a body corporate under the name of "*The Army, Navy and Air Force Veterans in Canada*", hereinafter called *The Association*, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Association, nor in any way affect any suit of proceeding now pending, or judgement existing, either by, or in favour of, or against the Association, which, notwithstanding such change in the name of the Association, may be prosecuted, continued, completed, and enforced as if this section had not been passed, and any suit or legal proceeding which might have been commenced or continued by or against the Association by its former name may be commenced or continued by or against it by its new name.
2. The purposes and objects of the Association shall be to:
  - (a) unite fraternally persons who have served in Her Majesty's armed forces or any auxiliary force thereof or in the armed forces or any auxiliary force of any nation allied to the British Commonwealth of Nations engaged in an active combat zone and persons who support the purposes and objects of the Association, which Association shall be a non-partisan and non-sectarian body for the purpose of good fellowship, mutual improvement and assistance, and patriotic endeavour and service to Canada and the British Commonwealth of Nations;

- (b) increase the public influence of veterans by organization, by parades and by giving as an entity expression of opinion upon public questions affecting the rights of veterans or concerning the welfare of the whole or any part of the British Commonwealth of Nations;
  - (c) stimulate the spirit of patriotism in Canada and promote closer unity and co-ordination within the British Commonwealth of Nations;
  - (d) assist the British Commonwealth of Nations when occasion requires in enlisting recruits for Her Majesty's forces;
  - (e) acquire, maintain and operate clubs, homes and meeting places for the benefit of veterans, and to furnish, stock, and equip the same with such furniture, furnishings, plant, animals, implements, equipment, appliances, libraries, and means of entertainment and amusement, as may be considered desirable by the Association;
  - (f) acquire and maintain museums in connection with any premises of the Association for the interest, education, or benefit of its members;
  - (g) levy upon its members, or upon bodies to whom it has granted charters as authorized herein, fees or assessments from time to time as may be required for the support of the Association and the carrying out of its objects; and to raise funds for the purpose of the Association by such means, with others, as providing entertainments, operating canteens and places of refreshment and amusement;
  - (h) assist any of Her Majesty's naval, military or air forces on active service, by establishing, operating and maintaining canteens and establishments for the rest and comfort of and as meeting places for those composing such forces.
3. The Head Office of the Association shall be in such a place in Canada as may be determined by the Association at a convention.
4. The Association shall be governed and its affairs shall be managed by a board of directors to be chosen in such manner and number, from time to time, as may be determined by the by-laws of the Association.
5. (1) The Directors of the Association may, from time to time, make, repeal, amend or re-enact by-laws and rules, not contrary to law nor inconsistent with the provision of this Act, for:
- (a) defining the terms and conditions of membership in the Association and the rights, duties and privileges of all classes of members;
  - (b) the administration, management and control of the property, business, and other affairs of the Association;
  - (c) the appointment, powers, duties, quorum, term of office and method of election of the directors.
  - (d) the appointment, designation, function, duties and remuneration of all officers, agents and servants of the Association;
  - (e) the appointment of committees and the designation of their duties;
  - (f) the calling of meetings, annual or special, of the Association, and of meetings, periodical or special of the directors and of committees;

- (g) the fixing of the quorum necessary at, the procedure in all respects at or concerning, and all other requirements of, any meeting of the Association, or of its directors or committees;
- (h) generally, for carrying out the objects of the Association.

(2) Every such by-law, excepting by-laws made respecting officers, agents and servants of the Association, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the Association duly called for that purpose, shall only have force until the next annual meeting of the Association, and in default of confirmation thereat, shall, at and from that time, cease to have force.

6. (1) Subject to this Act, the Association may establish provincial commands, local units, and a ladies auxiliary to any local unit at such places in Canada, under such titles and designations and subject to such conditions as the Association may determine by by-Law.

(2) Local units within any province or other proposed area of jurisdiction may apply to the Association for a charter to establish a provincial command having jurisdiction over that province or area and, upon such charter being granted, every local unit in that province or area shall be under the jurisdiction and subject to the control of that provincial command for the furtherance of the purposes and objects of the Association.

(3) Every provincial command has such powers and duties as the Association may determine by by-law.

(4) Ladies auxiliaries to local units within any province or other area of jurisdiction may apply to the Association for a charter to establish a ladies auxiliary provincial command having jurisdiction over that province or area and upon such charter being granted, every ladies auxiliary in that province or area shall be under the jurisdiction and subject to the control of that ladies auxiliary provincial command and its local unit for the furtherance of the purposes and objects of the Association.

(5) Every ladies auxiliary provincial command has such powers and duties as the Association may determine by by-law.

(6) Every ladies auxiliary provincial command established pursuant to subsection (4) is under the jurisdiction of, and responsible to, the provincial command having jurisdiction over the province or area within which that ladies auxiliary provincial command is located.

(7) Except as may be provided by by-law of the Association, the Association has no rights in the assets, and is not liable for any debts or obligations, of any provincial command, local unit, or ladies auxiliary, and no provincial command, local unit, or ladies auxiliary has any rights in the assets, or is liable for any debts or obligations of the Association or any other provincial command, local unit, or ladies auxiliary.

7. The Association, any Provincial Command of the Association and any Local Unit of the Association may take, hold, possess and acquire by purchase, lease, exchange, donation, devise, bequest, endowment, or otherwise, real or immoveable property required for the actual use and occupation of the Association, any Provincial Command of the Association or any Unit of the Association, or necessary or requisite for carrying out the purposes and objects of the Association, of any Provincial Command of the Association or of any Unit of the Association, and may sell, mortgage, pledge, hypothecate or alienate such property in any manner whatsoever.
8. (1) If authorized by by-law, sanctioned by the vote of not less than two-thirds of the members present at any general meeting of the Association duly called for considering the by-law, the directors may, from time to time, as and when required for the objects of the Association:
  - (a) borrow money upon the credit of the Association;
  - (b) limit or increase the amount to be borrowed;
  - (c) make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments;
  - (d) issue bonds, debentures, or other securities of the Association for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be expedient;
  - (e) hypothecate, mortgage, or pledge any real or personal property of the Association, to secure any money so borrowed for the objects of the Association, or any bonds, debentures or other securities so issued, pledged or sold;
  - (f) invest the funds of the Association in such a manner and upon such securities as are determined by the by-law.

(2) Nothing in this section shall be construed to authorize the Association to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in business of banking or insurance.
9. The fifteen persons first named in section 1 of this Act, or a majority of them, shall have authority to call the first meeting of the Association at such time and place as they may agree upon and on such notice as they may consider sufficient for the purpose.
10. Whenever the French version of the said chapter, the word Veteran appears, there shall in every case be substituted the words *ancien combattant*.

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# THE ARMY, NAVY AND AIR FORCE VETERANS IN CANADA

## DOMINION BYLAWS

### SECTION I

#### GENERAL

##### 1.1 INTERPRETATION:

**TRANSLATION** - The Act of Incorporation, Bylaws, Rules and Constitution of this Association have been translated from English to French, and whenever a dispute or conflict arises in the interpretation or translation of any of the provisions thereof, the English version shall prevail.

**ASSOCIATION** - means The Army, Navy and Air Force Veterans in Canada. Abbreviated ANAVETS.

**BOARD** - means the directors and officers of the Dominion Command as elected, or otherwise provided for by the Association in Convention.

**CHARTER** – means the Charter granted to the Dominion Association by a Special Act of Parliament and the Charter as mentioned in these Bylaws is a Warrant of Constitution establishing a Provincial Command, a Unit, or Ladies Auxiliary, under the authority of this Special Act of Parliament.

**DOMINION COMMAND** – means the governing body of the Association and its executive officers.

**LADIES AUXILIARY** – means an auxiliary duly established by the Association and its executive officers.

**PROVINCIAL COMMAND** – means the executive body of a Provincial Association established under authority of the Association.

**UNIT** – means a local organized group or organization established by the Association as hereinafter provided and designated as a local Unit in the Act of Incorporation.

**GOOD STANDING** – a member shall be in good standing when:

- (i) His/her annual dues are fully paid up as of the 31<sup>st</sup> of January of the current year.
- (ii) He/she is not in default of financial indebtedness to the unit or the Association.
- (iii) His/her membership is not under suspension,

**EMPLOYEE** – means an employee from whom payroll deductions have been taken and/or is eligible to receive a T4 or T4A slip.

**RULES OF ORDER** – where these Bylaws, the Convention or the Board has not made any rule or order governing any particular proceedings, Robert’s Rules of Order shall be the parliamentary guide.

**WORDS AND GENDER** – words importing the singular include the plural and vice versa; and words importing a male person include a female person.

**SEAL** - The seal means the official seal of the Association.

**SERVICE TO CANADA** – means service to our communities, support of Canadian youth through minor sports and other sponsorships and activities of patriotic endeavour.

## **1.2 ORGANIZATION**

### **1.2.1 HEADQUARTERS**

The Association headquarters shall be located in such a place in Canada as may from time to time be determined by the Association at a convention.

### **1.2.2 FISCAL YEAR**

**The fiscal year of the Association, all Commands and Units thereof shall end on the 31<sup>st</sup> of December in each year.<sup>1</sup>**

## **1.3 ANNUAL GENERAL MEETING**

### **1.3.1 TIME AND PLACE**

The Annual General Meeting will take place prior to 30 June of each year at a time and place determined by the Board of Directors.

### **1.3.2 NOTICE**

- (i) Notice of the Annual General Meeting will be given to Units to post for members not more than ninety (90) days prior and not less than twenty-one (21) days before the annual meeting.
- (ii) Notice of the meeting will include the time, date and location that the meeting will take place.

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<sup>1</sup> Amended by Resolution 29, September 2022

**1.3.3 AGENDA**

- (i) At minimum the agenda of the meeting will include the presentation of the previous year's financial statements.
- (ii) Any member wishing to add agenda items to the meeting must make their submission in writing no later than thirty (30) days prior to the meeting.

**1.3.4 QUORUM**

A quorum for the Annual General Meeting will be five (5) members of the Association.

**SECTION II**

**MEMBERSHIP**

**2.1 MEMBERSHIP**

Membership in the Association shall be by Unit membership or in areas where no Unit exists by member at large membership. National honorary membership may be awarded by or on approval of Dominion Command, as the Association may see fit, from time to time, to confer.

**2.2 RANK**

No member of the association shall be entitled to rank or precedence over any other member by reason of having held, at any time rank, command, appointment or commission.

**2.3 GENDER**

**Membership shall not be restricted by gender other than in the Ladies Units.<sup>2</sup>**

**2.4 CLASSES OF MEMBERSHIP**

There shall be six classes of membership:

- (a) Active;
- (b) Affiliate;
- (c) Associate;
- (d) Honorary;
- (e) Life; and
- (f) Member at Large

**2.5 UNIT MEMBERSHIP**

All members in good standing of each Unit shall be members of the Association.

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<sup>2</sup> Amended by Resolution 29, September 2022

## **2.6 APPLICATION FORMS FOR MEMBERSHIP**

All applications for membership shall be on forms supplied by the Dominion Command, or copies thereof, and shall contain the particulars of the applicant's service, if applicable, or civilian occupation and a statement that, as an obligation before admission, the applicant be required to agree to the Aims and Objects of the Association and take the Canadian Oath of Allegiance.

### **2.6.1 Units outside of Canada will be required to agree to the Aims and Objects of the Association but are not required to take the Canadian Oath of Allegiance<sup>3</sup>**

## **2.7 SPONSOR**

New members shall be sponsored by two (2) members in good standing. All applications must be signed by the sponsors and retained on file by the unit. No sponsors are required for members at large.

## **2.8 ACTIVE MEMBERSHIP**

A candidate for active membership, to qualify, must be of good character, and must:

- 2.8.1** Hold or be entitled to receive a medal for Active Service overseas in His Majesty's Forces, the Merchant Navy, or the Canadian Corp of Firefighters, or:
- 2.8.2** Have volunteered for general service in some branch of His Majesty's Armed Forces and have been honourably discharged or released there from, or:
- 2.8.3** Hold or be entitled to receive a medal for Active Service with any forces allied to His Majesty's Forces, or:
- 2.8.4** Have at least one (1) year service with the Canadian Armed Forces or the Royal Canadian Mounted Police, or be in possession of an honourable discharge or release there from, or:
- 2.8.5** **Upon production of a certificate that basic training has been completed and have had no less than one (1) year's service in the Reserve Forces, the Royal Canadian Mounted Police Auxiliary Force, other Auxiliary Forces of the British Commonwealth of Nations, or any Forces formerly allied to His Majesty's Forces,** <sup>4</sup>
- 2.8.6** Any members of the Army, Navy or Air Force Cadets who have completed three (3) years of consecutive service immediately prior to reaching the age of majority be granted active membership in the Association.
- 2.8.7** Have had a minimum of one (1) year's service in the Armed Forces of any country, which is a member of NATO and upon proof of such service.

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<sup>3</sup> Amended by Resolution 29, September 2022

<sup>4</sup> Amended by Resolution 29, September 2022

**2.8.8 Have had a minimum of two (2) years of service as a police officer, peace officer, firefighter or correctional officer or any auxiliary forces of the same and upon proof of such service.<sup>5</sup>**

**2.8.9 Have a minimum of two (2) years of service in one of the following organizations or any auxiliary forces of the same.**

- i) Canadian Customs and Immigration Personnel**
- ii) Canadian Coast Guard**
- iii) Canadian Department of Fisheries Personnel**
- iv) Canadian Department of Lands and Forest Personnel**
- v) Canadian Emergency Medical Technicians**
- vi) Canadian Corps of Commissionaires<sup>6</sup>**

## **2.9 ASSOCIATE AND AFFILIATE MEMBERSHIP**

A desirable person who does not qualify for active membership.

**2.9.1 ASSOCIATE MEMBER:** To be limited in number as provided for in individual Unit bylaws at the discretion of such Unit, but in no case to be sufficiently numerous to interfere with the full exercise of the privileges of membership in the unit and enjoyment of the Unit's clubroom by active members.

(i) This member is eligible to attend Unit meetings with the right to vote and serve on committees.

(ii) This member may not serve on the Unit executive or attend conventions as a delegate.

**2.9.2 AFFILIATE MEMBER:** Any associate who renews his/her membership after one year (12 months) may be given affiliate status with the same rights and privileges as an active member.

**2.9.2.1** Any affiliate member that takes out a second Association membership in another unit will retain their affiliate classification of membership.

## **2.10 HONORARY MEMBERSHIP**

### **2.10.1 HONORARY MEMBERS**

To be limited to those (not otherwise qualified) who by reason of their interest in and service to Veterans and their families and the work of the Association generally deserve such honour, and to be allowed admittance at all times, upon approval of the Provincial and Dominion Command. Notwithstanding the above, any unit may elect some outstanding citizen to be Honorary President.

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<sup>5</sup> Amended by Resolution 29, September 2022

<sup>6</sup> Amended by Resolution 29, September 2022

## **2.11 LIFE MEMBERS:**

In consideration of outstanding service, a Unit may recommend for Life Membership, an active member or affiliate member who has been in good standing in the Association for a period of not less than fifteen (15) consecutive years from the date of initiation. Such recommendations must be supported by a written citation indicating therein such “outstanding service”, dates, times, places and deeds, and shall be subject to the approval of both the Provincial and Dominion Commands. The provisions of this section shall apply to Life Memberships heretofore granted by the Units. In exceptional circumstances such as terminal illness, Life Membership may be recommended for a member with ten (10) years + one day of service.

**2.11.1** A payment as determined by the Dominion Board of Directors shall be payable to the Dominion Command to cover final Per Capita Tax payment, cost of medal, pin, card and scroll and shall be invoiced to the applicable unit to include shipping and handling costs. When approved, such membership dues and per capita tax and assessments of such Life Member shall be deemed to be paid up for life.

## **2.12 MEMBER AT LARGE**

**2.12.1** Eligibility shall be the same as for active or associate memberships, except no sponsors are required.

**2.12.2** Applicants normally must reside in a community where no unit exists. Dominion Command shall administer and maintain application records and award long service pins.

**2.12.3** Applications shall be on Association forms as issued by Dominion Command.

**2.12.4** When a member at large relocates to a center where a Unit exists, they shall be requested to transfer membership to that Unit.

## **2.13 DISQUALIFICATION FOR MEMBERSHIP**

**2.13.1** No one who has been dismissed from any service for misconduct, shall be deemed qualified for membership in any Unit,

**2.13.2** No avowed anarchist or other person, who advocates the overthrow of organized government by force, shall be permitted to become or remain a member.

**2.13.3** Any member that has been convicted of an indictable offence under the criminal code after their initial application to the association, may have their membership revoked by the Association after a hearing of the facts.

## **2.14 VOTING PRIVILEGES:**

**2.14.1** All members shall vote on any matter at any meeting to which they are eligible to attend,<sup>7</sup>

**2.14.2** Only active or affiliate members shall be elected a delegate to Convention or hold office.

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<sup>7</sup> Amended by Resolution 29, September 2022



## **2.15 TRANSFERS**

- 2.15.1** Members of this Association in good standing, may apply for a transfer to the secretary of their current Unit. The secretary of their Unit (losing Unit), upon such request, shall forward to the secretary of the gaining Unit the original application form of the member so transferring, and shall state any office or employment to which they may have held in the Unit. Agreement in writing to the transfer of these members must be obtained from the gaining Unit.
- 2.15.2** Members at large when relocating to a center where a Unit exists will be requested to transfer membership to that Unit.
- 2.15.3** In certain cases upon application, Dominion Command may approve a transfer from Unit member to member at large.

## **2.16 VISITING:**

- 2.16.1** Members in good standing, upon production of a current membership card, shall be entitled to all rights and privileges of membership in any Unit at which they may be a visitor, other than voice and voting rights.
- 2.16.2** No member shall be entitled to exercise continuous visitor's privileges at any one point for a period exceeding three (3) months.
- 2.16.3** Any member at large exercising visitor privileges at any one Unit exceeding three (3) months shall be requested to transfer his/her membership to that Unit or his/her visiting privileges may be revoked.

## **SECTION III**

### **HONOURS AND AWARDS**

#### **3.1 DEFINITIONS**

The decorations of the Association shall be the honours and awards bestowed on its members by the Association. They shall be as follows:

- 3.1.1 HONOURS** – Honours are presented to a member in recognition of exemplary service to the Unit, Provincial Command, and/or Dominion Command within the Association, and/or within the community; and
- 3.1.2 AWARDS** – Awards are presented to a member in recognition of holding the office of a President of a Unit, Provincial Command, or Dominion Command or in recognition of long service as a member.

#### **3.2 HONOURS**

- 3.2.1 Award of Merit** – The highest award the Association can bestow upon its members. The award of merit is presented to an active or affiliate member for outstanding, distinguished, and extraordinary service to the Association. The award of merit is usually presented at the Biennial Dominion Convention.

- 3.2.2** Order for Service – The order for service is presented to active or affiliate members for distinguished, and extraordinary service to the Association within the Unit, Provincial Command or Dominion Command or the community. The order for service is usually presented at a Provincial Command Convention.
- 3.2.3** Life Membership – The life membership is presented to an active or affiliate member for distinguished or extraordinary service to the Unit, Provincial Command or Dominion Command. The life membership is usually presented at a Provincial Command Convention or at a Unit function.
- 3.2.4** The sequence of bestowing the honours of the Association shall be: Life Membership, the Order for Service, and finally, the Association’s highest honour, the Award of Merit.
- 3.2.5** Appreciation – A certificate of appreciation may be awarded by Commands, Units or the Ladies Auxiliary to any member or to persons within or outside the Association who have contributed time and energy assisting with Command, Unit or Ladies Auxiliary programs. Certificates of appreciation can be purchased by themselves or with an appreciation medal. Subsequent appreciation awards will be denoted by a maple leaf clasp.

### **3.3 AWARDS**

- 3.3.1** Past President’s Medal – Awarded to a Past President of Dominion Command, a Provincial Command, or a Unit, in recognition of service as president;
- 3.3.2** Past President’s Pin – Awarded to a Past President of a Provincial Command, or Unit Ladies Auxiliary in recognition of service as a president of a Ladies Auxiliary;
- 3.3.3** Maple Leaf Clasp – Awarded to a Past President who serves a second or subsequent term;
- 3.3.4** 2<sup>nd</sup> Term Pin – Awarded to a Past President of a Ladies Auxiliary who served a second or subsequent term; and
- 3.3.5** Long Service Awards – Long service lapel pins are awarded to members and members of a Ladies Auxiliary, in good standing, for long service commencing with five (5) years of service, and in increments of five (5) years thereafter, in continuous good standing.

### **3.4 RIBBONS:**

The ribbons of the Association shall be such as prescribed by, and shall be worn as directed by, the Board of Directors.

### **3.5 CONTINUANCE OF SERVICE:**

Any Ladies Auxiliary member who joins the parent Unit can use their years of service within the Ladies Auxiliary for an award if the Unit so wishes.

## **SECTION IV**

### **DISCIPLINE, COMPLAINTS AND APPEALS**

(in conjunction with the Dominion Command Guide to Disciplinary Procedures)

#### **4.1 INTRODUCTION**

- 4.1.1** Formal disciplinary procedures represent serious circumstances and are to be applied only after due consideration and with full knowledge of the procedures.
- 4.1.2** The disciplinary process begins when a member is accused of committing an act that is contrary to ANAVETS rules and regulations. This causes a complaint to be registered against that member.
- 4.1.3** Punishments that can be administered to ANAVETS members are:
  - 4.1.3.1** A verbal or written warning. Usually applied by the Unit President.
  - 4.1.3.2** Suspension of membership privileges.
  - 4.1.3.3** Expulsion.
- 4.1.4** The disciplinary process must be fair and be seen to be fair. Bias or denial of natural justice must not occur. No member shall be expelled or suspended unless notice has been given to the member and a Unit Hearing has been held whereby the accused has an opportunity to be heard.

#### **4.2 COMPLAINTS**

Any complaint laid against a member shall be in writing, signed by the complainant, and given to the Secretary of the member's Unit within thirty (30) days of the event. In the case of misbehaviour in another Unit, the complaint will be dealt with by the accused's home Unit. If the offender's Unit does not proceed with the case and it warrants investigation, the complaining Unit may appeal as set out in sub-section 4.3.4

#### **4.3 UNIT HEARING**

- 4.3.1** The first level of the disciplinary process is the Unit Hearing composed of a quorum of the members of the unit executive.
- 4.3.2** The accused shall be given at least seven (7) days notification of the date, time and place of the Unit Hearing.
- 4.3.3** The members of the Unit Hearing may by a vote of two thirds (2/3) of its members award a guilty verdict to suspend or expel the accused.
- 4.3.4** The offender shall be advised that the right to appeal the sentence must be sent to the Provincial Command Secretary within fifteen (15) days of the sentence being pronounced.

#### **4.4 APPEALS**

- 4.4.1** When an appeal is received at Provincial Command, the President will immediately appoint a committee of at least three (3) Provincial Command members to hear the appeal. The report of the Appeal Committee may contain recommendations to reject, concur or revise the decision under appeal. This decision will be submitted to the next regular meeting of the Provincial Command Executive whose decision will be sent to the Unit and the appealing member.
- 4.4.2** The Appeal Committee may not increase the punishment awarded to the appellant.
- 4.4.3** The ruling of the Provincial Command Appeal Committee dealing with cases of suspensions is final and cannot be appealed to Dominion Command.
- 4.4.4** In the case where the Provincial Appeal Committee rejects an appeal of verdict of expulsion, the appellant or the Unit may appeal that decision to Dominion Command. The appeal must be sent to the Dominion Command Secretary within fifteen (15) days of receiving the Provincial Command decision; the decision of the Dominion Command hearing is final.

#### **4.5 SUSPENSION**

The punishment of suspension may be for any period up to and including three hundred and sixty-four (364) days. On the day following the period of suspension the member is automatically reinstated with full membership privileges.

#### **4.6 EXPULSION**

After due time is allowed for appeals, the names of members expelled from their Unit will be sent to the Provincial Command Secretary giving all details of the case who will forward that information to the Dominion Command Secretary. Providing that there has been no appeal or the appeal is rejected the Dominion Command Secretary will notify all Units of the expulsion.

#### **4.7 ASSOCIATION PRIVILEGES**

- 4.7.1** No suspended or expelled member may be granted any privileges of Association membership nor will they be accepted as a member or be granted guest privileges by another Unit of the Association during the period of suspension or until the expulsion has been revoked or annulled.
- 4.7.2** A member charged with an offence may, at the discretion of the Unit executive, be denied the privileges of the Unit club room pending the hearing of the case.

#### **4.8 SURRENDERING OF MEMBERSHIP CARD**

Members who have been suspended or expelled will return their membership card to the Unit Secretary. The card will be held until such time as the suspension has ended or the member reinstated. The sentence will not take effect until such time as the membership card has been surrendered.

- 4.8.1** The member is denied Association privileges until the card is returned.
- 4.8.2** If the card has been lost, the member must purchase a replacement card,

which will constitute the beginning of the suspension.

**4.8.3** If the card has been lost and no replacement is purchased, suspension will commence when the current card expires at year end.

#### **4.9 REINSTATEMENT**

**4.9.1** Expelled or suspended members applying to be reinstated as members in good standing may have their membership restored by a vote of no less than two-thirds (2/3) of the Unit Executive present at a meeting called for that purpose.

**4.9.2** Suspended members may apply for early reinstatement at any time following the imposition of the punishment. Membership is automatically restored on the day following the last day of suspension. Whereas an expelled member may not apply for reinstatement until after three (3) years has been served of that expulsion.

**4.9.3** In the case of an expelled member, the recommendation for reinstatement will be forwarded to Provincial Command who may concur or reject the reinstatement. Provincial Command will forward its recommendation to Dominion Command who will make the final approval or rejection.

#### **4.10 EXCEPTION TO THE RULE**

Notwithstanding the rule that suspensions may not be applied beyond three hundred and sixty-four (364) days, if the suspension was applied for non-payment of dues, the suspension will remain in effect until all arrears are paid.

#### **4.11 POWERS AT CONVENTION**

During a Dominion or Provincial Command Convention, the attending members have the power to deal with the status or conduct of the members of that convention. The members may make rules and regulations governing its procedure in the matter brought before it and take such disciplinary action as they deem fit.

#### **4.12 APPEALS OR LEGAL ACTION BEYOND ASSOCIATION STRUCTURE**

If a member appeals an Association ruling to a civil court or other non-association structure, that member is solely responsible for any legal or other fees associated with that action. The Unit, Provincial or Dominion Command is not held accountable for any expenses incurred through that appeal or process.

### **SECTION V**

#### **DOMINION COMMAND**

##### **5.1 BOARD OF DIRECTORS**

**5.1.1** The affairs of the Association shall be managed and controlled by a Board of Directors who will be;

**5.1.1.1** The President, Immediate Past President, and the Vice-Presidents of the Association, and the President of each Provincial Command.

- 5.1.1.2 The Honorary President, in an advisory capacity.
- 5.1.1.3 During Biennial Dominion Conventions each Provincial Command may have an additional director for every two thousand members or portion thereof, in excess of the first two thousand members.
- 5.1.1.4 In addition, all Past Dominion Presidents who qualify under Dominion constitution and who do not qualify to attend in any other capacity, at the discretion and expense of the Provincial Command concerned, may sit as an extra director in an advisory capacity only.
- 5.1.2 **Five directors present shall constitute a quorum for all directors' meetings<sup>8</sup>**
- 5.1.3 Vacancies occurring in the Board between conventions shall be filled by the Board from active or affiliate members who qualify under subparagraph 2.8 or 2.9 of the bylaws, provided that the replacement of a director who is a Provincial President shall be the successor in that office, and the additional Executive Officers shall be by the respective commands.
- 5.1.4 Employees - No paid employee, either full-or part-time, of this or any other Veterans Association may be elected or appointed as a Dominion Director of The Army, Navy, and Air Force Veterans in Canada.

## 5.2 EXECUTIVE OFFICERS:

- 5.2.1 Officers of the Association, with the exception of the Past President shall be elected by ballot at each convention, and shall be:
  - 5.2.1.1 A President: - Limited to one (1) term of two (2) years only and that no President shall be an eligible candidate to succeed him/herself.
  - 5.2.1.2 A First, Second, Third, Forth, Fifth, Sixth and Seventh Vice-President one representing each Provincial Command.
- 5.2.2 Command Secretary and Treasurer or Secretary-Treasurer: The office of Secretary and Treasurer may be combined, and such officer or officers shall be appointed by, and hold office during the pleasure of the Board.
- 5.2.3 In the event of the office of President becoming vacant during the ensuing term of office, then the senior Vice-President will assume the office of President, and in the case of a Vice-President, the next senior Vice-President will move up in seniority and hold such office for the un-expired term. A new seventh Vice-President will be elected by the Provincial Command whose executive officer representation has become vacant.
- 5.2.4 No member shall be qualified to hold office in any Association, or any Provincial Command, or any Unit of the Association, or be a delegate, who currently holds an executive office in, or is employed by, any other chartered Veterans Organization.
- 5.2.5 No employee of a Unit of the Association shall be eligible for election to office or as a delegate to any convention of the Association or any Command thereof unless such employee has resigned from such employment at least thirty (30) days prior to nomination.

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<sup>8</sup> Amended by Resolution 29, September 2022

- 5.2.6 Any member elected or appointed as a Dominion Executive Officer may serve or continue to serve on Provincial or Unit Executives but not in the positions of President or Vice President.
  - 5.2.7 Officers and members of the Board of Directors must be members in good standing of the Association during their entire term of office.
  - 5.2.8 All Commands and Units have the authority to request criminal background checks on any Executive Council member that may hold any office that has access to association funds or association business.
- 5.3 HONORARY OFFICERS:**
- 5.3.1 Honorary officers of the Association shall be: Such honorary patrons as the Association in convention shall from time to time decide.
  - 5.3.2 An Honorary President may be appointed at each convention for a two year term.
- 5.4 DUTIES OF EXECUTIVE OFFICERS:**
- 5.4.1 **President:** The President shall preside at all meetings of the Board and is ex officio member of all standing and special committees.
  - 5.4.2 **Vice-President:** In the absence or by reason of the inability of the President to act, the First Vice-President shall discharge all the duties and exercise all the powers of the President and in the absence of the President and the First Vice-President, the senior Vice-President present shall discharge all the duties and exercise all the powers of the President.
  - 5.4.3 **Secretary:**
    - 5.4.3.1 The Secretary shall keep a record of all meetings of the Association and of the Board in special books to be kept for that purpose and shall be required at every meeting to have the proper minute book and all necessary books and correspondence relative to the business likely to be transacted at such meeting. The Secretary shall be custodian of the seal of the Association, and all books and official records belonging hereto, excepting those of the Treasurer. The Secretary shall act at all times and in all respects entirely at the will of the Dominion Executive Officers and shall conform to such rules and regulations as they may make.
    - 5.4.3.2 The Secretary of the Association, with such assistance as shall be given by the convention, shall act as convention secretary, and shall keep a true and correct record of its proceedings, and shall act at all times in all respects at the discretion of the convention.
  - 5.4.4 **Treasurer:**
    - 5.4.4.1 **The Treasurer shall keep a just and true account of all monies received and paid out by the Association and of all financial transactions of every kind, and of all assets and liabilities of the Association. The Treasurer shall deposit all funds of the Association Canadian financial institution that is insured by the Canadian Deposit Insurance Corporation as the executive officers may determine, in the name of the Association.<sup>9</sup>**

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<sup>9</sup> Amended by Resolution 29, September 2022

**5.4.4.2 All monies payable by the Association shall be paid out by cheque or electronic funds transfer, which shall be authorized by the Treasurer and either the Administrative Assistant, President or one of the Vice-Presidents and no cheque shall in any case be signed blank.<sup>10</sup>**

**5.4.4.3** The Treasurer shall keep the books of the Association at the head office, and they shall be open to inspection of the Executive Officers at all times.

**5.4.4.4** When required by the Executive Officers, the Treasurer shall prepare and submit a balance sheet showing all assets and liabilities of the Association, and all its financial dealings arranged in proper order.

**5.4.4.5** Notwithstanding sub-section 5.5.4.3 above, the Treasurer shall produce the books and financial records of the Association for inspection by the finance committee at the time and place of each biennial convention of the Association.

#### **5.4.5 AUDIT:**

**5.4.5.1** The Executive Officers shall, as often as they think necessary, but at least once in each calendar year, have the financial records of the Association undergo a review engagement by a chartered accountant, who shall provide the officers and Board with duly certified copies of the financial statements.

**5.4.5.2** Each Provincial Command shall be provided with copies of such financial statements sixty (60) days prior to the Dominion Board of Directors' meetings.

**5.4.5.3** The Secretary Treasurer shall furnish the board and finance committee, at least sixty (60) days prior to the biennial convention, a review engagement statement and balance sheet covering the affairs of the Association since the last biennial convention.

#### **5.5 POWERS AND OBLIGATIONS OF THE BOARD:**

**5.5.1** The Board shall discharge all duties and obligations imposed upon it by the Convention; and carry on all necessary activities of the Association between conventions, and for such purposes shall have such powers as the Convention itself can exercise in session with the following exception: Any resolution passed at Dominion Convention shall stand without alteration, amendment and /or postponement.

**5.5.2** The Board shall meet prior to the opening of the convention and following the closing of the convention, also at the call of the President.

**5.5.3** Notice of all regular and special meetings of the Board shall be sent by the Secretary to each member at least fifteen (15) days before the date of such meeting.

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<sup>10</sup> Amended by Resolution 29, September 2022



- 5.5.4** A special meeting shall be called by the President upon the written request of two (2) members of the Board, and upon failure to do so within fifteen (15) days, then upon the signed call of such members.
- 5.5.5** In case of emergency, the President may call special meetings by telephone, fax, email or mail, or in lieu of such a meeting, a vote by telephone, fax, email or mail may be taken.
- 5.5.6** The Board shall fix the order of procedure at all Board meetings.
- 5.5.7** The Board may appoint, from time to time, such standing or other committees from the general membership including members of the Board, as it may deem necessary with such powers and authority as the Board may deem advisable and shall be responsible for the conduct and work of any such committee.
- 5.5.8** The Board shall keep or cause to be kept, minutes of all meetings, record of all business transacted, and resolutions passed and actions taken, whether by meeting or otherwise, and of all appointments however made and of the attendance at all meetings and of all procedures of the Board.
- 5.5.9** All minutes of Dominion Convention and Dominion Board of Directors meetings shall be forwarded to all Provincial Commands and Units no later than ninety (90) days after close of same.
- 5.5.10** The Board may make or cause to be made for the Association any description of contract for the conduct of the ordinary business of the Association.
- 5.5.11** Any member of the Board may be suspended or removed for cause, provided full disclosure of the facts has been made to all other members of the Board, and such suspension or removal is approved by two thirds (2/3) of the said members of the Board present at a meeting or by letter, fax or email.

## **SECTION VI**

### **PROVINCIAL COMMANDS:**

#### **6.1 ESTABLISHMENT**

- 6.1.1** Local Units within any province or other proposed area of jurisdiction may apply to the Association for a charter to establish a Provincial Command having jurisdiction over that province or area and, upon such a charter being granted, every local Unit in that province or area shall be under the jurisdiction and subject to the control of that Provincial Command for the furtherance of the purposes and objectives of the Association.
- 6.1.2** The Dominion President, or the appropriate Vice-President acting for the President, may for cause suspend the charter of any Provincial Command, subject to immediate ratification by a two-thirds (2/3) vote of the Dominion Executive Officers in writing, fax, email or phone.

**6.1.3** Subject to appeal to the Association in convention, the Dominion Executive Officers may for cause suspend or cancel the charter of any Provincial Command, and during such suspension or cancellation, all Units of such Command in good standing shall come directly under the Dominion Command until other provincial authority is approved by the Dominion Executive Officers.

## **6.2 POWERS AND OBLIGATIONS:**

**6.2.1** Every Provincial Command shall be the legislative and contracting body of The Army, Navy, Air Force Veterans in Canada in respect to such matters as affect such provincial interest, and may make, repeal, amend, re-enact and enforce such bylaws, rules and regulations as may be necessary or expedient to conduct the business of such Provincial Command subject at all times to the approval of Dominion Command. Each Provincial Command shall enact bylaws empowering it to take over control and/or direction of any Unit within its Command. Subject always to ratification by the Provincial Command in Convention.

**6.2.2** The Provincial Convention shall be the supreme governing body of the Provincial Command and shall be held every (2) two or (4) four years, as the Command concerned shall determine.

## **6.3 DUTIES AND OBLIGATIONS**

The Provincial Command and the executive of the Provincial Command shall respectively have and discharge all such powers, duties and obligations within the area of their jurisdiction in the affairs of the Association as the Convention of the Association and the Executive Officers have in respect of the affairs of the Association.

## **6.4 SEAL**

Each Provincial Command shall have a seal, which shall bear the designation of The Army, Navy, and Air Force Veterans in Canada with the name of the Provincial Command inserted in the centre. This seal shall be affixed to all contracts entered into by such Command.

## **6.5 FINANCIAL REPORTING**

Each Provincial Command shall forward to the Dominion Command annually, a financial statement upon which an annual review of the books has been conducted by a qualified and competent accountant; with a full report of the operation of the Command submitted for the preceding year, and the books of the Command shall be open to inspection by the Dominion Command at all times.

## **6.6 MINUTES**

**Each Provincial Command shall forward to the Dominion Command one (1) copy of the minutes of their meetings and conventions.**<sup>11</sup>

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<sup>11</sup> Amended by Resolution 29, September 2022

## **6.7 INSURANCE**

**All Provincial Commands that own property must at a minimum carry property and liability insurance to safeguard the assets in the event of a catastrophic event or injury on premises.<sup>12</sup>**

## **SECTION VII**

### **UNITS**

#### **7.1 ESTABLISHING A UNIT**

- 7.1.1** Upon petition of at least twenty-five (25) persons who are affiliate members of ANAVETS and/or persons who qualify to become active members of this association, and certifying that they will become members of such a proposed Unit, and that in their opinion a membership of not less than one hundred (100) qualified members could be procured and maintained within the territory designated by such petition, the Dominion Command may grant them a charter, constituting them and such others as shall become members thereof, into a Unit of this Association, upon the recommendation of the Provincial Command concerned, under such a name and with jurisdiction over such territorial area as may be proper.
- 7.1.2** Details of the proposed method of financing any new Units must accompany said petition for a charter revealing the source, or sources of all monies to be invested in and/or loaned to the Unit, and the rate of interest being charged thereon and the proposed method of repayment of any such investment and/or loan.
- 7.1.3** At the issuance of said charter the Unit must provide the Provincial Command with a copy of its local bylaws, including specifically signing authority, executive officers, and a statement of compliance of section 7.1.2 above.

#### **7.2 CHARTER**

- 7.2.1** Such a charter shall be signed by the President and by the Secretary of the Association and issued under the Seal of the Association; and thereupon such a Unit shall be entitled to the rights and privileges of membership.
- 7.2.2** The petition for such a charter shall be accompanied by a fee determined by the executive committee. This fee shall go into the general revenue of the Association.
- 7.2.3** In the event of such a charter not being granted, all fees paid are not refundable.
- 7.2.4** A minimum of 25 members are required in any Unit to retain their charter.
- 7.2.5** Amalgamation of Units shall be done by Association policy.

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<sup>12</sup> Amended by Resolution 28, September 2022

### **7.3 WITHDRAWAL OF CHARTER**

In the event that a chartered Unit membership falls below twenty-five (25) members, the Provincial Command governing that Unit will withdraw the Unit charter and hold it at Provincial Command to give the Unit an opportunity to increase membership back up to the minimum level of twenty-five (25) people. Provincial Command will do everything it can to assist that Unit to meet its minimum membership requirements. Every effort will be made to keep a Unit open so that it may seize future opportunities to grow, develop and prosper.

### **7.4 DIRECTING BODY**

The directing body of each Unit so organized shall be its Executive Committee or Board of Directors.

### **7.5 BYLAWS, RULES & REGULATIONS**

Each Unit may make, from time to time, such bylaws, and regulations not in conflict with the Association's Constitution and Bylaws for the conduct of its affairs, as it may deem advisable, subject to the approval of Dominion and Provincial Commands and without limiting in any way the generality of this section for:

- 7.5.1** Defining the numbers and mode of election or appointment of its officers, its executive, its standing and special committees, and defining their duties. However Ladies Auxiliary members with dual membership may serve on Unit or Ladies Auxiliary executives committees, but not both at the same time;
- 7.5.2** The calling of all meetings of the Unit and of its Board of Directors and defining the procedure thereat;
- 7.5.3** The keeping of its records;
- 7.5.4** The collection, care and custody of its funds and the auditing of its accounts;
- 7.5.5** The custody and care of its property; and
- 7.5.6** The general government of itself and its members and of any organization established by it.

### **7.6 CHARTER CANCELLATION OR SUSPENSION**

Subject to appeal to the Dominion Board of Directors, the executive officers may at any time for cause, cancel or suspend the charter of any Unit; and change or alter the name or territorial limits as they see fit.

- 7.6.1** Such appeal must be made within thirty (30) days of the date of suspension or cancellation and such appeals shall be held within sixty (60) days of the receipt of same; and may further appeal an adverse decision of the Board of Directors to the next ensuing Convention.
- 7.6.2** Subject to the same right to appeal as under sub-section 7.6 above the Dominion President, or the appropriate Provincial President with the sanction of the Dominion President obtained in writing or by wire, may suspend the charter of any Unit or Ladies Auxiliary for cause, subject to ratification forthwith by a two-thirds (2/3) vote of the Executive Officers, obtained either in writing, fax or email.

## **7.7 OFFICERS OF SUSPENDED UNIT**

Any officer or executive member of the Dominion or Provincial Commands whose Unit's charter has been suspended by any competent authority shall be suspended from office until the officer or executive member's standing as a member has been investigated by the appropriate Provincial Command or by Dominion Command if the Provincial Command is suspended. The decision of the appropriate Command shall be final.

## **7.8 FINANCIAL REPORTING**

Every Unit shall:

- 7.8.1** Annually at its own expense have an annual statement of its accounts prepared by a qualified and competent accountant, who shall be: a member, or partnership whose partners are members in good standing of the Canadian Association of Chartered Accountants, or the Certified General Accountants Association of the province, or, the Registered Industrial Accountants of the province, or a person who is certified by the Provincial Command as being competent and qualified to issue an annual statement and such certification shall be obtained before a unit has its annual statement prepared. (See Policy Note#1 for levels of review) The Provincial Command shall retain its authority to demand that a Unit have its accounts audited if deemed necessary.
- 7.8.2** Submit a financial statement signed by such accountant to its annual general meeting, which will take place no more than six (6) months after its financial year end.
- 7.8.3** Forward one (1) copy of the financial statement to both the Provincial & Dominion Commands along with a statement of activities showing details of participation in Association and community projects.
- 7.8.4** Upon request of Dominion or Provincial Command reveal the source, or sources, of all monies invested in and/or loaned to the Unit, the rate of interest being charged thereon and the proposed method of repayment on any such investments and/or loans.
- 7.8.6** Each Provincial Command or Unit, as the case may be, is to carry on its operations without pecuniary gain to its members and any profits or other accretions are to be used in promoting its objects;
- 7.8.7** In the event of liquidation, dissolution or winding-up of a provincial Unit or Command, as the case may be, all its remaining assets after payment of its liabilities shall be distributed to the respective Provincial Command in the case of a Unit, or to the Dominion Command in the folding of a Command;
- 7.8.8** That the monies received from this liquidation, dissolution, folding, or winding-down of a Unit, or Provincial Command, as the case may be, be held in trust for a period of up to five (5) years by the Unit's Provincial Command, or in the case of a Provincial Command, the Dominion Command, so that the money would be available to reconstitute that Unit or Command should there be a desire to do so;
- 7.8.9** The funds will be held in a government secured investment; and

- 7.8.10** At the end of five (5) years, should there be no requirement to reconstitute the Unit or Command, that funds held by a Provincial Command be distributed to Units of that Command requiring financial aid, and in the case of the folding of a Command, the funds held by Dominion Command will be distributed to Provincial Commands in need of financial aid.
- 7.8.11 Units that liquidate their assets yet continue to hold their charters may retain the funds provided that the funds shall be jointly administered with the Provincial Command for the benefit of the Unit in accordance with the Unit’s charter and local bylaws and pursuant to the Associations Aims and Objects.**<sup>13</sup>
- 7.8.12** Property and real assets cannot be sold or liquidated without the approval and involvement of the Provincial and/or Dominion Commands depending on the jurisdiction involved.
- 7.8.13** If Unit assets are not held in the Units name, holding companies or such comparable entities also require approval of two-thirds (2/3) of the Unit Membership at a Special General Meeting called for the purpose of said sale of assets, and the Provincial and/or Dominion Commands approval and involvement to sell or liquidate property and real assets.

## **7.9 SEAL**

Each Unit shall have a seal, which bears the designation of “The Army, Navy and Air Force Veterans in Canada” with the name of the unit located in the centre.

## **7.10 INSURANCE**

**All Units that own property must at a minimum carry property and liability insurance to safeguard the assets in the event of a catastrophic event or injury on premises.**<sup>14</sup>

## **7.11 LADIES UNITS**

At any point, where there is sufficient numbers, a Ladies Unit of the Association may be formed.

- 7.11.1** Membership therein shall be limited solely to active members, whose qualifications for membership shall be the same as in the case of active membership in the Association.
- 7.11.2** Each such Ladies’ Unit shall be subject to all the same conditions and obligations as the Units, and may establish separate premises of their own, or make arrangements with an established Unit for quarters in the premises occupied by such Unit.
- 7.11.3** Such Ladies’ Units shall be chartered, be subject to payment of per capita tax; and shall be entitled to vote on all matters dealing with the operation of its Unit, and to be represented and obligated in all matters and affairs of the Association in the same way as the other Units.

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<sup>13</sup> Amended by Resolution 29, September 2022

<sup>14</sup> Amended by Resolution 28, September 2022

## **SECTION VIII**

### **LADIES AUXILIARIES**

#### **8.1 AUTHORITY**

Section 6 of the Act of Incorporation authorizes the Association to establish a Ladies Auxiliary to any local Unit, and Ladies Auxiliary Provincial Command for the purpose of assisting the Unit and Command in every possible way to further the aims and objectives of the Association.

#### **8.2 CHARTERS**

Such Ladies Auxiliary Provincial Commands and/or Unit's Ladies Auxiliaries shall be chartered in accordance with existing regulations, upon the payment of a chartering fee as set by the Dominion Board of Directors. Charters shall be issued by the Association President and Secretary under the seal thereof.

#### **8.3 IDENTIFICATION**

Ladies Auxiliary Provincial Commands and/or Unit's Ladies Auxiliaries that are established under this section, shall be identified by assuming the official name of the parent Command (in the case of a Ladies Auxiliary Provincial Command) or the charter number assigned to the sponsoring Unit (in the case of a Unit's Ladies Auxiliary).

#### **8.4 RESPONSIBILITY**

Ladies Auxiliary Provincial Commands, and/or Unit's Ladies Auxiliaries that are established under authority of this section, shall be under the jurisdiction of, and be responsible to the parent Command (in the case of Ladies Auxiliary Provincial Command), or the sponsoring Unit (in the case of a Unit's Ladies Auxiliary).

#### **8.5 POWERS AND OBLIGATIONS**

Ladies Auxiliary Provincial Commands, and/or Unit's ladies Auxiliaries established under the authority of this section shall be governed by the bylaws passed by such Ladies Auxiliaries, but these bylaws shall not become effective unless they conform to the aims and objects of The Army, Navy, and Air Force Veterans in Canada, Act of Incorporation, and have been approved by the respective parent Command and/or Unit of the Association having jurisdiction. Ladies Auxiliary Provincial Commands and/or Unit's Ladies Auxiliaries may, subject to approval of their parent Command and sponsoring Unit, from time to time make, repeal, amend or re-enact such bylaws, rules and regulations as applicable to their organization for:

**8.5.1** Defining the terms and conditions of membership and the rights, duties and privileges of membership. However membership in good standing in the host Unit shall not affect membership in the Ladies Auxiliary and vice versa.

**8.5.2** The administration, management and control of the property, business and other affairs of such Ladies Auxiliary.

**8.5.3** The powers, duties, term of office and method of election of their officers.

- 8.5.4 The appointment of committees and designation of their duties.
- 8.5.5 The calling of meetings, annual of special, of such Ladies Auxiliaries and of committee meetings, special of periodical.
- 8.5.6 The fixing of the quorum, and all other requirements of all respects at or concerning, and all other requirements of any meeting of such Ladies Auxiliaries of its committees.
- 8.5.7 Levying upon its members such fees or assessments from time to time as may be required for the support of such Ladies Auxiliary and the carrying out of the objects of said auxiliary.

## 8.6 FINANCIAL

- 8.6.1 The Association shall not have any rights in the assets of such Ladies Auxiliary Provincial Command and/or Unit's Ladies Auxiliary, nor be liable for any of their debts, and neither the said Ladies Auxiliary Provincial Commands and/or Unit's Ladies Auxiliary shall have any rights in the assets of, nor be liable for, any debts or obligations of the Association.
- 8.6.2 Each Provincial Ladies Auxiliary Command or Ladies Auxiliary, as the case may be, is to carry on its operations without pecuniary gain to its members and any profits or other accretions are to be used in promoting the aims and objects of the Association;
- 8.6.3 In the event of liquidation, dissolution or winding-up of a Ladies Auxiliary or Ladies Auxiliary Provincial Command, as the case may be, all its remaining assets after payment of its liabilities shall be distributed to the respective Provincial Ladies Auxiliary Command in the case of an Unit's Ladies Auxiliary, or to the Provincial Command in the folding of a Provincial Ladies Auxiliary Command;
- 8.6.4 **That the monies received from the liquidation, dissolution, folding, or winding-down of an auxiliary unit, or Provincial Auxiliary Command, as the case may be, that the funds be distributed as per the final minutes of that unit or Command so long as the monies are kept within the host unit or a Provincial Command and in the case of a Command dissolution Dominion Command;**<sup>15</sup>
- 8.6.5 **If an auxiliary wishes to re-form, the parent Unit will support them with the request.**<sup>16</sup>
- 8.6.6 Forward (1) one copy of the financial statement to the Ladies Auxiliary Provincial Command or Provincial Command (in the case there is not a Ladies Auxiliary Command) along with a statement of activities showing details of participation in Association and community projects.

## 8.7 INSIGNIA AND BADGE

The insignia of the Ladies Auxiliary members shall be the lapel button of the Association, affixed to a bar bearing the words "Ladies Auxiliary", and their badge shall be the Association badge.

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<sup>15</sup> Amended by Resolution 36, September 2022

<sup>16</sup> Amended by Resolution 36, September 2022



## **8.8. DRESS**

**Dress of the Ladies Auxiliary shall be blue blazer with Association badge, white blouse, royal purple or association tie, grey skirt or trousers, black shoes, and headdress of the Ladies Auxiliary or Association. Provincial Commands of the Ladies Auxiliary may grant authority to substitute a white skirt or white dress. Substitute dress must be approved by parent Provincial Command.<sup>17</sup>**

## **SECTION IX**

### **DOMINION CONVENTIONS**

#### **9.1 SUPREME GOVERNING BODY**

The Dominion Convention shall be the supreme governing body and shall be held biennially at such time and place, as the Association in Convention shall decide. Failing such decision, the Board shall decide. **Conventions may be suspended in circumstances like but not limited to national states of emergency, pandemics, or national lockdowns.<sup>18</sup>**

**9.1.1 The locations shall be held in a city in which there is a Unit of the Association<sup>19</sup>**

**9.1.2 In the event of a national emergency, pandemic, or natural catastrophe if the Association is unable to hold a biennial convention the Board of Directors will assume the duties of the Dominion Convention, including the election of its officers until such time as a Dominion Convention can once again be held.<sup>20</sup>**

#### **9.2 REPRESENTATION**

Each Unit shall be represented at the Dominion Convention by one (1) delegate for each one hundred (100) members or fraction thereof, and the voting strength of each Provincial Command shall be based on that number of members for whom the per capita tax and assessment (if any) has been paid to the Dominion Association at the end of the fiscal year immediately preceding the convention.

#### **9.3 PROXIES**

**9.3.1** Any Unit unable to send their full slate of delegates, Unit proxies will go to the Unit President or designate.

**9.3.2** Any Unit unable to send any delegates, Unit proxies will go to the Provincial President.

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<sup>17</sup> Amended by Resolution 29, September 2022

<sup>18</sup> Amended by Resolution 30, September 2022

<sup>19</sup> Amended by Resolution 29, September 2022

<sup>20</sup> Amended by Resolution 30, September 2022

- 9.3.3** Any Unit unable to send all or any delegates due to a lack of Unit members that wish to attend, said Unit representation will go to the Provincial President who with approval of the Provincial Board, may assign them or designate them to any member not of that Unit, that has not been able to be a delegate from their parent Unit but wish to attend convention
- 9.3.4** Proxy votes are only used in ballot votes.
- 9.3.5** Certification of the standing of the said unit by its per capita tax to Dominion Command shall accompany said proxies. Per capita tax payment shall be paid regularly in accordance with section 11.3 below.
- 9.4 DELEGATE AND PROXIE LISTS**  
Sixty (60) days prior to the commencement of a convention all commands will submit lists of the names and membership numbers of delegates and number of proxies to Dominion Command office for the final completion of the delegates lists for the credentials committee and the local convention registration committee.
- 9.5 COMMAND DELEGATE LISTS**  
The Command lists will be based on the number of delegates that have been allotted to them in a Dominion Command report based on the previous year's membership and computed as per bylaw 9.2 above.
- 9.6 AWARD OF MERIT HOLDERS**  
**Award of Merit holders, in good standing shall be invited at their own expense to attend, with voice and vote all Dominion Conventions.<sup>21</sup>**
- 9.7 ORDER OF PROCEEDINGS**  
The convention shall fix the order of proceedings at all its meetings, excepting the appointment of the convention chairman, or co-chairman who shall be appointed by the board at its pre-convention meeting.
- 9.8 CHANGE OF VENUE**  
The Board may change the place of the convention, if it were inexpedient or impossible to hold it at the place chosen by the previous convention.
- 9.9 ENTITLED TO ATTEND AND VOTE**  
**Those entitled to attend and vote at the convention shall be the members of the Board, and duly qualified delegates as provided under the provisions of bylaws 9.2, 9.3 and 9.6 above.<sup>22</sup>**
- 9.10 NOTICE OF DATE AND PLACE**  
The secretary shall give not less than six (6) months written notice of the date and place of the convention to each unit and each Command of the Association.

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<sup>21</sup> Amended by Resolution 31, September 2022

<sup>22</sup> Amended by Resolution 31, September 2022

## **9.11 STANDING COMMITTEES**

The Dominion Board of Directors shall meet prior to the opening of the convention and shall request the appointment of the following standing committees:

- (a) Constitution Committee
- (b) Advocacy Committee
- (c) Finance Committee
- (d) Credentials Committee
- (e) Public Relations and Publicity Committee
- (f) Membership Committee

**9.11.1** The six (6) committees shall consist of one (1) member from each Provincial Command appointed by the Provincial Command, and one (1) member from Dominion Command Executive appointed by the Dominion President. The committees shall meet prior to the opening of the convention at the discretion of the Dominion President.

## **9.12 CHAPLAIN(S) APPOINTMENT**

The appointment of a Chaplin, or Chaplains, shall be by the convention committee at the place designated biennially as the convention city.

## **9.13 QUORUM**

Twenty-five (25) qualified members present shall constitute a quorum, but a lesser number may adjourn a convention.

## **9.14 VOTING PROCEDURE**

**Except for the election of Executive Officers, all voting shall be either by a show of voting cards or as a standing vote, as the presiding officer may direct, unless the “ayes” and “nays” are demanded. When the “ayes” and “nays” are demanded, the secretary shall call the roll and record the “ayes” and “nays”. The presiding officer shall declare the result of such a vote.<sup>23</sup>**

## **9.15 MAJORITY OF VOTES**

Unless otherwise herein provided, the decision of the convention shall be by a majority of votes cast.

## **9.16 COMMITTEE APPOINTMENTS**

**Each convention shall appoint other committees as the convention may deem necessary.<sup>24</sup>**

## **9.17 COMMITTEE MEMBERS**

Committees other than the Constitution, Advocacy, Finance, Credentials, Membership and Publicity Committees shall consist of such members as the convention decides.

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<sup>23</sup> Amended by Resolution 29, September 2022

<sup>24</sup> Amended by Resolution 29, September 2022

## **9.18 COMMITTEE CHAIRPERSON AND RULES**

Each Committee shall elect its own chairperson, make its own rules, set its own quorum, and shall consider and report all matters referred to it: and may, of its own motion, make recommendations upon such other matters as it may consider desirable.

## **9.19 RESOLUTION REFERRAL**

All resolutions, which have been submitted, to the Dominion Command for submission to the Convention shall be referred to the appropriate committee prior to the convention.

## **9.20 RESOLUTIONS**

All resolutions proposed to be submitted to the Convention shall:

**9.20.1** Be proposed by the Board, a Provincial Command or a Unit and shall be forwarded to the Secretary at least sixty (60) days before the date of the convention. Resolutions of any member of the Association may be submitted in the same manner as above, subject to the approval of their Provincial Command.

**9.20.2** Dominion office staff and officers are authorized to create resolutions for Convention upon obtaining approval from the Board of Directors' prior to being able to submit these resolutions to convention.

**9.20.3** Each Resolution shall:

- (i) deal with one (1) subject only;
- (ii) be typewritten or printed upon a separate sheet of letter size paper (21.5 cm x 28 cm); and
- (iii) be clear and concise with either sufficient preamble or explanatory footnote.

**9.20.3** The Board or convention may refuse to receive or consider any resolution not properly presented in accordance with this paragraph.

**9.20.4** Resolutions which are not received by the Secretary within the time prescribed in 9.20.1 shall be listed separately from the others and may only be considered after all those received within the prescribed time to have been dealt with.

**9.20.5** No supplementary resolutions be accepted on the convention floor without twelve (12) hours notice prior to being presented for the vote.

**9.20.6** The Secretary shall, not less than thirty (30) days before the convention, endeavour to send to each Provincial Command and all Units, a copy of all resolutions received within the time limited in bylaw 9.20.1.

**9.20.7** No resolution or motion amending the constitution, rules, or bylaws shall be considered:

**9.20.7.1** Unless on motion of the Board or of any Provincial Command.

**9.20.7.2** Provided however that the convention may by a two-thirds (2/3) majority vote dispense with such notice of motion.

**9.20.7.3** A two-thirds (2/3) majority vote shall be required to pass amendments to the constitution, rules and bylaws.

**9.20.7.4** Unless otherwise stated, all amendments to the bylaws, rules and constitution will be effective as and from the termination of the convention at which such amendments are approved.

**9.20.7.5** Official minutes of the convention shall be the notification to Units to amend their bylaws to conform to any amendments affecting Unit administration or responsibility approved thereat.

**9.20.8** Any resolution or other matter brought before a convention may be referred by the presiding officer to a standing or special committee for consideration and report, and shall not be considered by the convention until such committee reports. The convention may by a two-thirds (2/3) majority upon appeal, decide to consider any such matter without referring it to committee and such appeal shall be voted upon without discussion.

## **9.21 TEMPORARY SUSPENSION OF THE CONSTITUTION**

Any motion to temporarily suspend or alter the Constitution and Bylaws be brought to the convention delegates as soon as it is presented to the constitution committee.

**9.21.1** If such a motion is made and seconded, all convention business be suspended until such a time that all Provincial Commands have had sufficient time to meet and discuss said motion before the convention reconvene to vote on the motion

**9.21.2** The said motion would be voted on by ballot

## **SECTION X**

### **PROVINCIAL CONVENTIONS**

#### **10.1 GOVERNING BODY**

The Provincial Convention shall be the supreme governing body of the Provincial Command.

#### **10.2 CONVENTION TIMING**

Provincial conventions shall be held every two (2) or four (4) years, as the Command concerned shall determine.

## **SECTION XI**

### **MEMBERSHIP FEES**

#### **11.1 PER CAPITA TAX**

**11.1.1** Each Unit shall pay to their respective Provincial Command an annual per capita tax of ten dollars (\$10.00) per member enrolled plus any other approved assessment imposed.

**11.1.2** A newly chartered Unit, during its first year of operation, is exempt from paying per capita tax.

**11.2 DOMINION/PROVINCIAL SPLIT**

Per capita tax shall be divided between Dominion Command and Provincial Command on a sixty/forty (60/40) basis, respectively.

**11.3 UNIT RETURNS**

**Each Unit shall furnish to their respective Provincial Command, the Dominion and Provincial Command portion of the membership cards, and the per capita tax and approved assessment(s) of members enrolled in the Unit within fifteen (15) days after the following periods: January 31<sup>st</sup>, May 31<sup>st</sup>, and October 31<sup>st</sup>, at which time current membership roll will be finalized.<sup>25</sup>**

**11.4 PROVINCIAL COMMAND RETURNS**

Each Provincial Command shall forward to Dominion Command the appropriate portion of the membership card along with the payment of per capita tax and approved assessment(s) not later than 28<sup>th</sup> day of the month succeeding each period mentioned in bylaw 11.3 above.

**11.5 FAILURE TO COMPLY**

Any Unit or Provincial Command failing to comply with the provisions of this section, within the time indicated, shall stand suspended, and be denied representation at the convention and all benefits of membership in the Association, until the default is made good.

**11.6 CHANGES TO PER CAPITA TAX**

Notwithstanding Para.5 of the Act of Incorporation, Dominion Command per capita tax changes may only be requested and approved while the Association is sitting in convention.

**11.7 MEMBERSHIP LISTS**

All Units shall submit their membership lists to Dominion Command each November containing the name, address and date of entry into the Association. These lists shall be used for Association business and not to be employed for solicitation with outside companies without Board and convention approval.

**11.8 UNIT MINIMUM FEE AND ENTRANCE FEES**

The regular annual fee for membership in any Unit thereof shall not be less than ten dollars (\$10.00) per annum. In addition to the above, each Unit shall have authority to charge every new member an entrance fee, and to levy upon its members a tax, if necessary in each year, sufficient to meet all levies made upon it for the support of the Association at large, the Provincial Command for the Province in which it is situated, and of its Unit headquarters.

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<sup>25</sup> Amended by Resolution 29, September 2022

## **11.9 COMPLIMENTARY MEMBERSHIP**

**11.9.1** Notwithstanding the minimum membership fee mentioned in above, Units may, under conditions passed by a general meeting and approved by the Provincial Command concerned, issue Association membership cards on a complimentary basis to aged and/or infirm members, and all such complimentary cards issued shall be subject to payment of per capita tax by the Unit.

**11.9.2** Any returning combat soldier and all honourably discharged CAF personnel, who have never been a member of ANAVETS, upon application will receive a one year complimentary membership.

**11.9.2.1** **These memberships will be issued by the Dominion Command on special designated cards (not regular membership cards) and Units will be required to send Dominion Command a copy of the original application form for all complimentary memberships issued.<sup>26</sup>**

**11.9.2.2** These members will have all rights and privileges as an active member.

## **11.10 MEMBER AT LARGE DUES**

“Member at Large” dues shall be set by the Board of Directors.

## **SECTION XII**

### **GENERAL PROVISIONS:**

#### **12.1 UNIFORM**

**12.1.1** The official dress of the Association shall be:

- a. Blue blazer with Association badge,
- b. Gray slacks,
- c. White shirt,
- d. Association tie,
- e. Black socks,
- f. Black web belt,
- g. Black shoes or boots, and
- h. The headdress of the Association. The official headdress shall be a navy blue wedge cap with the badge of the Association superimposed and ANAVETS written on the left side and the Canadian Flag on the right.
- i. Current and former members of the Canadian Armed Forces/Allied Forces/RCMP may wear the headdress of the service/branch/corps/regiment under which they served. Those that served in UN missions may wear the UN beret.

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<sup>26</sup> Amended by Resolution 29, September 2022

**12.1.2** The official dress shall be worn on all parades and official functions.

**12.1.3** The official summer dress of the Association shall be:

- a. A military style (with epaulets) white short sleeve shirt with Association badge on the shoulder (use slip-ons),
- b. Gray slacks, black shoes or boots, and
- c. The Association headdress.
- d. Current and former members of the Canadian Armed Forces/Allied Forces/RCMP may wear the headdress of the service/branch/corps/regiment under which they served. Those that served in UN missions may wear the UN beret.

**12.1.4** In case of female members, grey skirt is optional.

**12.1.5** The Provincial Command will have the right to decide the mode of dress for the colour parties within their province.

## **12.2 RITUALS**

Shall be as per the Manual of Dress, Ritual and Ceremonies published by Dominion Command.

**12.2.1** “*The Maple Leaf Forever*” is the ANAVETS March.

## **12.3 CONFLICT OF INTEREST<sup>27</sup>**

**At all levels of the Association, no member should speak to or vote on a question in which he/she has a direct personal or pecuniary interest not common to other members of the Association.**

**12.3.1** If a member is in a position of a conflict of interest, they must declare the conflict and leave the meeting while the matter is being resolved.

**12.3.2** This conflict extends to all family members whereas family in this context is extended to all immediate and extended family, in-laws, common law and other relationships.

## **12.4 INDIGENOUS LAND ACKNOWLEDGEMENT<sup>28</sup>**

**All Units of the Association shall, in the spirit of reconciliation, consult with their local Indigenous peoples to collaborate on wording for a land acknowledgement that covers the territorial jurisdiction of their Unit that shall be delivered at the commencement as part of the opening ceremonies of all meetings and conventions and that the acknowledgements of each Unit are registered with the Dominion Command.**

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<sup>27</sup> Amended by Resolution 27, September 2022

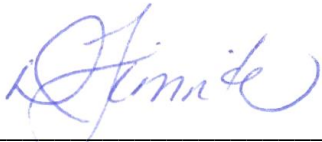
<sup>28</sup> Amended by Resolution 39, September 2022



**12.5 MATTERS OF PROCEDURES**

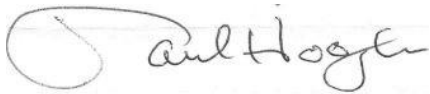
**12.5.1** The constitution and bylaws of the Association may be amended at any convention of the Association upon complying with the provisions of section 9.20.7 hereof, and each of the bylaw amendments that appear in the minutes of the meeting of the Board of Directors or the pre- or post-Directors shall be put in the form of a separate resolution as per section 9.20.2 to be presented to the next biennial convention as required by Article 5(2) of the Act of Incorporation and under the provision of section 9.20.7 of the bylaws.

**12.5.2** All former bylaws, rules and regulations of this Association are hereby repealed, and the forgoing, when passed by the Board and confirmed at a convention of this Association shall be the bylaws, rules and constitution of this Association.



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Deanna Fimrite  
Dominion Secretary-Treasurer



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Paul Hooper  
Dominion President



POLICY NOTES

**Policy Note #1**

**Levels of Financial Review**

Gross Revenues are considered to be all monies received by a Unit/Command in a fiscal year regardless of what restrictions or liabilities those funds are determined to be used for.

Monies held in trust for lottery and gaming commissions are exempt from Gross Revenues.

| <b>Gross Revenues</b>  | <b>Requirements</b>  |
|------------------------|--|
| Less than \$50,000.00  | -Must use accounting software<br>-Provide access to their financial data<br>-Provide copies of their bank statements |
| Less than \$250,000.00 | -compilation engagement required (notice to reader)<br>-provide copies of their bank statements                      |
| Over \$250,000.00      | -review engagement required  |

## **Policy Note #2**

## **Amalgamation of Units**

1. Two or more Units in the same Provincial Command may amalgamate into an amalgamated Unit.
2. Units desiring to amalgamate shall each call a special general meeting to present a motion to amalgamate the Units. If there is agreement between the Units for a name for the amalgamated Unit, a motion shall be presented at each special general meeting to accept that name. If the Units cannot agree on a name for the amalgamated Unit, the name shall be determined by the Provincial Command.
3. Each Unit shall nominate three (3) members as the Units representatives on the first executive of the amalgamated Unit.
4. Each Unit shall deliver a certified copy of the motions passed at the special meeting of the Unit to the Provincial Command together with the Unit charter. The Provincial Command will advise the Units as to the requirements to transfer the Units assets to the amalgamated Unit and each Unit shall complete all the documents to transfer the assets and advise Provincial Command of the transfer of them to the amalgamated Unit.
5. Upon receipt of the certified copies of the motions from each Unit, the Provincial Command shall advise Dominion Command that the Units are to be amalgamated and request that a new charter be prepared under the name of the amalgamated Unit, and that Provincial Command shall hold the charters of the Units pending transfer of their assets to the amalgamated Unit.
6. Upon being satisfied that the assets have been transferred to the amalgamated Unit, the Provincial Command shall deliver the charters of the Units to Dominion Command and Dominion Command shall deliver the new charter of the amalgamated Unit to Provincial Command.
7. The Provincial Command shall advise the Units to give notice to their members of the time and place of an inaugural meeting of the amalgamated Unit. The charter of the amalgamated Unit shall be delivered at the inaugural meeting. The nominees referred to in (3) shall be the first executive committee.
8. The first order of business of the amalgamated Unit shall be to adopt Bylaws.
9. The amalgamated Unit shall be responsible for all outstanding liabilities and obligations of the Units as of the date of amalgamation. All members of the Units shall become members of the amalgamated Unit as of the date of amalgamation.
10. The years of service of the Unit with the longest history will be given to the amalgamated Unit.
11. There shall be no loss of members' years of service as a result of the amalgamation process.

**Policy Note #3****Decisions involving Membership Fees**

Any financial decisions affecting membership fees will be highlighted to the convention floor prior to the passing of the minutes of such meeting where the decision took place in order to allow for transparency and discussion prior to voting to accept.