

The Price of Liberty is Eternal Vigilance



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**THE RETURNED AND SERVICES LEAGUE
OF AUSTRALIA
(NEW SOUTH WALES BRANCH)**

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PATRON

**HIS EXCELLENCY GENERAL THE HONOURABLE DAVID HURLEY AC DSC (Retd)
GOVERNOR OF NEW SOUTH WALES**

CIRCULAR NO: 09/17

FILE NO: JOB: 2271/1

14th February, 2017

TO: ALL HONORARY SECRETARIES AND SECRETARIES OF RSL SUB-BRANCHES,
DISTRICT COUNCILS AND STATE COUNCILLORS

EXPIRY DATE: 31st December, 2017

Dear Member,

State Council Update

I have been asked by the State President to update sub-Branch members on the current situation with RSL National.

Yesterday State Council passed the attached resolutions in an attempt to resolve the dispute with the National Executive and ensure that an independent investigation into allegations that have been made can proceed without delay. Under the proposal that has been made to the National Executive:

- RSL NSW State Council will voluntarily stand aside on an interim basis pending the results of a Board of Inquiry into allegations of financial misconduct;
- Major General David MacLachlan AO will be appointed as caretaker of the NSW State Branch to act in all matters on behalf of the State Councillors during this period; and
- the National Executive will withdraw all charges against RSL NSW.

We are waiting for confirmation from the National Executive that all charges against RSL NSW have been withdrawn so that the caretaker can be appointed.

RSL NSW State President, Mr John Haines AM, said: "We are committed to a full and frank investigation into the allegations which have been made so that our members can have complete confidence in the integrity of those elected to represent them. To this end RSL NSW has resolved to establish a Board of Inquiry and the investigation being undertaken by KordaMentha will be a key input into this inquiry."

"The NSW State Council will co-operate fully with the inquiry," he said.

Yours sincerely

Jeff O'Brien

CHIEF OPERATING OFFICER

ASSISTANT STATE SECRETARY

Resolutions passed by the State Councillors at a meeting held at 1:15 pm on Monday, 13 February 2017:

1. Subject to the matters set forth in paragraphs 2 and 3 hereof, the State Councillors hereby resolve:
 - a. to each stand aside on an interim basis from the obligations and responsibilities of a State Councillor, pending the results of a Board of Enquiry to be held into the conduct of State Councillors of the NSW State Branch; and
 - b. to appoint Major General David MacLachlan as caretaker (**the caretaker**) of the NSW State Branch, and to permit the caretaker to act in all matters on behalf of the State Councillors, pending the result of the Board of Enquiry;
2. The National Executive will, on the basis of the resolutions referred to in paragraph 1 above, forthwith withdraw the show cause order and charges raised against RSL NSW on 17 January 2017 and, to the extent to which charges have been raised against individual State Councillors, will withdraw all such charges;
3. The National Executive and the State Councillors will issue a joint press release acknowledging that their differences have been resolved; that the NSW State Councillors have agreed to the matters set out in paragraphs 1 and 2 above.
4. The caretaker is to prepare Terms of Reference for a Board of Enquiry as soon as possible following his appointment so that the Board of Enquiry may commence its reference as soon as practicable with the objective of delivering its findings within one month of its appointment. In this respect, each State Councillor agrees to assist the enquiries of the Board of Enquiry; and
5. In the event that the above proposals are not accepted by the National Executive, NSW State Councillors will act upon legal advice in respect of their obligations and rights.