

**MINUTES OF THE 2021 ANNUAL GENERAL MEETING OF THE RETURNED & SERVICES LEAGUE OF AUSTRALIA (NEW SOUTH WALES BRANCH) HELD VIRTUALLY AND AT 175 PITT STREET, SYDNEY ON 6 DECEMBER 2021 AT 09:00AM**



**DIRECTORS**

**PRESENT:**

Ray James (President)  
Sophie Ray (Chair) *(by teleconference)*  
Phillip Bridie *(by teleconference)*  
Phillip Chin *(by teleconference)*  
David McCann *(by teleconference)*  
Steve Graham *(by teleconference)*  
Louise Sullivan *(by teleconference)*  
Jason Hazell *(by teleconference)*

**IN ATTENDANCE:**

Jon Black (Chief Executive Officer)  
Valentyna Jurkiw (Head of Legal & Company Secretary)  
Jeff O'Brien (State Secretary)  
Trina Constable (Head of Communications and Marketing)  
Nicole Hasrouni (Chief Financial Officer)^  
Daniel Cunningham (Audit Partner, Ernst & Young)^  
^ part of meeting only

**DELEGATES**

**PRESENT**

170 sub-Branch and District Council Delegates at 9:11am  
250 people online of which 195 were Delegates at 10:05am  
200 people online of which 150 were Delegates at 1:40pm

**APOLOGY:**

John Hutcheson

**A SILENT TRIBUTE WAS OBSERVED IN MEMORY OF DEPARTED COMRADES AS WAS AN ACKNOWLEDGMENT OF COUNTRY**

**OPENING:**

Ray James (RJ), the President and Chair of the meeting, noted that a quorum was present and declared the meeting open at 9.11 am.

**RULES AND**

**VOTING**

**PROCEDURE:**

RJ outlined the rules and procedures to be used during the meeting including the voting procedures. He reminded Delegates to submit their votes at the appropriate times.

**PRESIDENT'S**

**REPORT:**

RJ spoke to the suggested changes to the Constitution and encouraged all Members and Delegates to focus on the charitable purpose and to ensure any decision making relevant to the RSL was based on helping veterans and their families.

RJ stressed that the Board and State Branch are working transparently to ensure the future of the League is strong.

RJ asked all Delegates to engage with the Royal Commission into Defence and Veteran Suicide that commenced on 27 November 2021 and to give thought to the

families who have lost loved ones to suicide and what could be done better within the RSL Community to prevent deaths by suicide in the future.

RJ spoke to the Strategic Plan and encouraged all members to embrace the plan and to assist with the implementation, noting that a progress report would be given by the CEO at Tuesday's meeting. Serious consideration must be given to attracting younger Members to the League.

RJ thanked the ANZAC House team and all sub-Branch Executives, District Councils and the District Presidents' Council for all the work done over the last 12 months especially within the constraints of COVID-19.

**FINANCIAL  
REPORT:**

Nicole Hasrouni (NH) presented the Financial Statements for the year ending 30 June 2021. She advised that no new accounting standards were adopted in the financial year and the financial statements were prepared in accordance with the Australian Accounting Standards.

NH detailed key events that had a material impact on the financial statements:

- Service delivery is now provided by partner charity – RSL LifeCare Limited following the transfer of RSL DefenceCare team and programs to RSL LifeCare
- Reduction of staff at ANZAC House
- Sale of Hyde Park Inn and 262 Castlereagh Street
- Donation of \$2.1m raised within the sub-Branch network made to RSL DefenceCare
- Assets valuation increased to \$93m from \$69m
- Donations from sub-Branches decreased
- Hyde Park Inn occupancy was negatively impacted by COVID-19
- Expenses have been reduced by 36%

Daniel Cunningham presented his report, confirming that the audit is complete and that Ernst & Young received full cooperation from management and that all deadlines were met. He stated that the audit report (attached to the financial statements) was unqualified.

**VOTING:**

RJ reminded Delegates how to vote and/or speak to a motion and that each Delegate should phone in advance should they wish to speak for or against a motion. Each speaker would have two minutes to speak. There was no requirement to second the motion.

**MOTIONS:**

**1. MINUTES OF 2020 ANNUAL GENERAL MEETING**

The minutes of the 2020 Annual General Meeting were adopted.

No Delegates spoke for or against the motion. Simple majority 50.1% to carry.

**Results:**

For:	100 %
Against:	0 %

**Motion Carried and Resolution passed.**

## **2. REGISTER OF MOTIONS**

The following matters were noted:

- (a) the Summary Register of Motions passed at the 2017, 2018 and 2019 Annual Congress and the status of their implementation; and
- (b) that in accordance with the resolution passed by Members at the 2019 Annual Congress, an updated Register of Motions will be provided to Members within two (2) calendar months of the conclusion of the 2021 AGM.

**Motion noted.**

## **3. STRATEGIC PLAN REPORT**

The progress report published on the RSL NSW website for Member consideration on 1 December 2021 was noted.

**Motion noted.**

## **4. ANNUAL REPORT, FINANCIAL STATEMENTS AND AUDITOR'S REPORTS**

The Financial Statements and Auditor's Report for RSL NSW for the financial year ended 30 June 2021 were adopted and the requirement to lodge the Annual Report of RSL NSW for the year ended 30 June 2021 with the Minister for Sport, Multiculturalism, Seniors and Veterans following the 2021 AGM was noted.

No Delegates spoke for or against the motion. Simple majority 50.1% to carry.

### **Results:**

For:	100 %
Against:	0 %

**Motion Carried and Resolution Passed.**

## **5. STANDING MOTION – MEMBERSHIP FEE**

It was noted in accordance with the Strategic Plan 2021-26, no annual Membership fee is payable in 2022 and that accordingly no capitation fee allocation was to be determined pursuant to Appendix B, clause 11 of the RSL NSW Constitution.

**Motion noted.**

## **6. VENUE FOR NEXT ANNUAL CONGRESS/AGM**

The following motion was considered (simple majority):

*THAT the venue for the next Annual Congress/Annual General Meeting (and where possible any extraordinary general meeting) to be conducted by way of in person attendance, COVID-19 restrictions permitting will be at **Newcastle Exhibition & Convention Centre, 309 King Street, Newcastle West** with the*

*Board to determine whether or not such next meeting will be held by way of in person attendance or by remote technology in its discretion.*

No Delegates spoke for or against the motion.

**Results:**

For: 98.33 %  
Against: 1.67 %

**Motion Carried and Resolution Passed**

**7. VETERAN POLICY MOTIONS**

**7.1 Support to Veterans admitted to Hospital**

**Proposer – Wingham**

The following motion was considered (simple majority):

*THAT RSL NSW liaises with NSW Health and other relevant departments to enable RSL NSW sub-Branch wellbeing support officers to support veterans admitted to NSW public hospitals through:*

- (a) being informed that a veteran has been admitted to hospital;*
- (b) being informed that a veteran is willing to be contacted by an RSL NSW wellbeing support officer through:
  - (i) using a check box on the admission form to record the veteran's wishes; and*
  - (ii) the hospital alerting an RSL NSW Wellbeing Support Officer via a designated telephone number; and**
- (c) clearance to visit the veteran during their stay in hospital using NSW Health protocols; and*
- (d) assisting the veteran to connect to local support or services they need.*

**Speaker for the motion: Terrence Gould – Wingham sub-Branch**

The speaker reiterated the proposed motion. He highlighted that the motion is intended to support and assist all Veterans within the constraints of each Veteran's wishes in relation to confidentiality and willingness to receive support from the RSL.

No Delegates spoke against the motion.

**Results:**

For: 97.22 %  
Against: 2.78 %

**Motion Carried and Resolution Passed.**

**7.2 Tax Free TPI Pension**

**Proposer – Old Bar Beach**

The following motion was considered (simple majority):

*THAT RSL NSW ask the Federal Government to consider the proposal from the Australian Army Training Team Vietnam Association (AATTVA) TPI WA Branch that a non means tested, tax free service pension for all TPI recipients, regardless of age be implemented and that the disparity between widower pensions and the current TPI payment, should be addressed by increasing the payment to the full TPI amount.*

No Delegates spoke for or against the motion.

**Results:**

For:	93.18 %
Against:	6.82 %

**Motion Carried and Resolution Passed.**

### **7.3 Qualifying Service Medal - Vietnam Service Medal to be provided to all Vietnam Veterans**

**Proposer – Moree**

The following motion was considered (simple majority):

*THAT RSL NSW support the issuing of a second Vietnam Service medal, currently reserved for those veterans who served at least 180 days in country, to all Vietnam veterans, irrespective of time in country.*

No Delegates spoke for or against the motion.

**Results:**

For:	74.86 %
Against:	25.14 %

**Motion Carried and Resolution Passed.**

## **8. ANZAC HOUSE MOTIONS**

### **8.1 Museum of Contemporary Art – Maritime Services Board Memorial**

**Proposer – Maritime Services Board**

The following motion was considered (simple majority):

*THAT RSL NSW consult with the Premier of New South Wales to have the War Memorial situated on the marble wall in the entrance to the former Maritime Services Board building returned to its former glory by arranging the removal of a multi panelled painting which conceals the War Memorial.*

**Speaker for the motion: Iain Finlay, Maritime Services Board sub-Branch**

The speaker highlighted that requests were made for the restoration of the memorial since 2014.

No Delegates spoke against the motion.

**Results:**

For: 98.88 %  
Against: 1.12 %

**Motion Carried and Resolution Passed.**

**8.2 Report on AGM Motions - Register of Motions at RSL NSW Annual Congress AGM**

**Proposer – Northern Metropolitan District Council**

The following motion was considered (simple majority):

*THAT future RSL NSW Congress includes a formal presentation providing a report and review of previous Congress/AGM motions with an update on the progress, resolution or otherwise of each motion.*

**Speaker for the motion: Derek Leslie – Northern Metropolitan District Council**

The speaker for the motion stated his appreciation for having the motions register included this year and looks forward to this practice being continued with the inclusion of a progress report on motions.

No Delegates spoke against the motion.

**Results:**

For: 96.09 %  
Against: 3.91 %

**Motion Carried and Resolution Passed.**

**8.3 Recruiting Program**

**Proposer – Castle Hill and District sub-Branch and Queanbeyan**

The following motion was considered (simple majority):

*THAT RSL NSW develops a plan to facilitate recruiting in NSW for new Members.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker acknowledged that this motion forms part of the Strategic Plan, but emphasised that this initiative should be developed and deployed as soon as possible.

No Delegates spoke against the motion.

**Results:**

For: 86.59 %  
Against: 13.41 %

**Motion Carried and Resolution Passed.**

**8.4 Virtual Membership within Current Membership Categories**

**Proposer – Byron Bay**

The following motion was considered (simple majority):

*THAT virtual Membership be adopted as an additional recruitment tool for RSL NSW.*

**Speaker for the motion: Robert Asquith - Byron Bay sub-Branch**

The speaker stated that recruiting of younger veterans is difficult and virtual membership could be a means to encourage them to sign up, allowing them to receive communications and to attend activities when they can.

No Delegates spoke against the motion.

**Results:**

For:	64.77 %
Against:	35.23 %

**Motion Carried and Resolution Passed.**

**8.5 Expansion of Charitable Purpose to Broaden Definition of Veteran**

**Proposer – FWMDC**

The following motion was considered (simple majority):

*THAT RSL NSW approach RSL National for the purposes of RSL National expanding the Charitable Purpose to include persons:*

- (a) who are veterans within the definition in the Australian Veterans' Recognition (Putting Veterans and their Families First) Act 2019; and*
- (b) who have served or are serving as a member of the Armed Forces of:*
  - (i) any country presently or formerly a member of the British Commonwealth;*
  - (ii) any country or place presently or formerly a Crown Colony of the United Kingdom;*
  - (iii) the United States of America; or*
- (c) to whom (a) or (b) does not apply but who is an Australian citizen or permanent resident and who in a theatre of conflict:*
  - (i) either served with, supported or was otherwise engaged with the Australian Defence Force or the Armed Forces of those countries or places referred to in paragraph (b) above; or*
  - (ii) served as a member of the Armed Forces of another country or place which, during that time of conflict, was an ally of the Commonwealth.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker advised the meeting that he felt that discussion about the beneficiaries of the charitable purpose when the RSL NSW Constitution passed in 2019 did not adequately explain that only ADF veterans were to be beneficiaries.

**Speaker against the motion: Adrian Sutter – Coogee Randwick Clovelly sub-Branch**

The speaker advised the meeting that the RSL has an obligation to Australian Veterans first and priority should be extended to them before expanding our obligations to assist other veterans.

**Results:**

For: 67.23 %  
Against: 32.77 %

**Motion Carried and Resolution Passed.**

**8.6 Review of RSL Badge**

**Proposer – Forestville**

The following motion was considered (simple majority):

*THAT the RSL Badge be reviewed and the following recommendations in relation to the RSL Badge be forwarded to RSL National for consideration:*

- (a) the rose, leek, thistle and shamrock be removed from the badge and replaced by rosemary and poppies to symbolise the RSL's important role in community commemorations, especially ANZAC Day and Remembrance Day;*
- (b) the four central figures of the badge are reviewed in terms of dress, gender and ethnic mix to be more representative of the service and ex-service community; and*
- (c) that the shape of the badge be reviewed.*

**Speaker for the motion: Robert Lunnon – Forestville sub-Branch**

The speaker explained that the badge design was outdated and should be changed to better represent dress, gender and ethnic mix in the services.

**Speaker against the motion: Adrian Sutter – Coogee Randwick Clovelly sub-Branch**

The speaker advised the meeting that rebranding was a complex and expensive exercise and that the exercise should not be undertaken at the expense of the strategic plan and charitable purpose.

**Results:**

For: 34.64 %  
Against: 65.36 %

**Motion Lost.**



## 9. CONSTITUTION MOTIONS

### 9.1 Adopt Amended Constitution

#### Proposer - RSL NSW Board

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present to be passed:

*THAT:*

- (a) *the Amended Constitution annexed to and circulated with the Notice of Meeting as Appendix C be adopted as the Constitution of RSL NSW in place of the existing Constitution with effect from 1 January 2022; and that*
- (b) *the Board of RSL NSW register a sealed copy of the Constitution of RSL NSW with the Registrar- General pursuant to section 15 of the RSL NSW Act 2018 (NSW).*

#### Speaker for the motion: Sophie Ray – Chair RSL NSW

The speaker provided the meeting with background as to the work that had been conducted in revising the RSL NSW Constitution and that the work had been conducted by a Committee consisting of Member Representatives, ANZAC House staff and an independent chair following member consultation. She advised that the amended Constitution refined and corrected matters which were identified as being unworkable since the Constitution was adopted in 2019 and also incorporated member feedback.

#### Speaker against the motion: John Greig – Bundeena sub-Branch

The speaker stated that further work needed to be done and that until this work was completed the Constitution should not be adopted.

#### Results:

For:	65.17 %
Against:	34.83 %

**Motion Lost.**

### 9.2 Set 2: Motions to take effect from 1 January 2022 if passed

#### 9.2.1 President Cannot Be Trustee

#### Proposer – RSL NSW Board

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution be amended to provide that the President of a sub-Branch cannot act as Trustee and that any President of a sub-Branch already appointed as a Trustee must cease to hold dual roles by no later than 1 July 2022; and that*

- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: Sophie Ray – Chair RSL NSW**

The speaker highlighted that this motion is to avoid any conflict of interest for an executive holding both roles.

**Speaker against the motion: John Greig – Bundeena sub-Branch**

The speaker raised the concern that some sub-Branches would not be able to operate effectively if this motion was passed.

**Results:**

For: 50 %  
Against: 50 %

**Motion Lost.**

**9.2.2 Treasurer Cannot be Trustee**

**Proposer – RSL NSW Board**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution be amended to provide that the Treasurer of a sub-Branch cannot act as Trustee and that any Treasurer of a sub-Branch already appointed as a Trustee must cease to hold dual roles by no later than 1 July 2022; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: Sophie Ray – Chair RSL NSW**

The speaker highlighted that this motion is to avoid any conflict of interest for an Executive holding both roles and that it is not good practice for the Treasurer also acting as the Trustee to oversee the governance of their own accounting and financial management.

No Delegates spoke against the motion.

**Results:**

For: 55.19 %  
Against: 44.81 %

**Motion Lost.**

**9.2.3 RSL NSW Deputy President to be a Service Member/Elected Director**

**Proposer – Bateman’s Bay & FWMD C**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution be amended to require the RSL NSW Deputy President to be a Director fulfilling the eligibility criteria for an Elected Director; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker highlighted the appropriateness of the representative role of President and Deputy President and that it should be filled by a service member.

No delegates spoke against the motion.

**Results:**

For: 83.7 %

Against: 16.3 %

**Motion Carried and Resolution Passed.**

#### **9.2.4 Chair of RSL NSW Board to be a Service Member/Elected Director**

**Proposers – Bateman’s Bay and FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution be amended to require the RSL NSW Chair to be a Director fulfilling the eligibility criteria for an Elected Director; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that the possibility of an unelected/non service member director being chosen as chair was not adequately considered when approving the 2019 Constitution.

No delegates spoke against the motion.

**Results:**

For: 66.12 %

Against: 33.88 %

**Motion Lost.**

## 9.2.5 Membership Register Update following Amalgamation

### Proposer – Intra Mural

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

THAT:

- (a) *the RSL NSW Constitution is amended to prescribe that following amalgamation, the Membership Register will be updated by the sub-Branch which has amalgamated; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

### Speaker for the motion: Ian Bubb – Westpac sub-Branch

In response to the statement in the Notice of Meeting that this could be an administrative burden on sub-Branches that already find it difficult to fill leadership position, the speaker stated that this would always be a task with relatively small numbers involved.

No delegates spoke against the motion.

### Results:

For:	59.02 %
Against:	40.98 %

### Motion Lost.

## 9.2.6 Validity of Decision Making if Board Meeting Notice Improperly Served

### Proposer – Intra Mural

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

THAT:

- (a) *clause 9.39 of the RSL NSW Constitution is amended as follows “**Notice of a meeting may be given by any reasonable means of communication to each director as provided (however that the failure to give notice will not invalidate any decision or resolution made at the meeting).**”;*  
*and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

### Speaker for the motion: Glenn Daly – Intra Mural sub-Branch

The speaker stated that if a notice of meeting is not properly served to Directors, any decision or resolution passed at the meeting should be invalid.

No delegates spoke against the motion.

**Results:**

For: 62.3 %

Against: 37.7 %

**Motion Lost.**

### 9.2.7 Invalidity of Decision Making where Director Conflict of Interest

#### Proposer – Intra Mural

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *clause 9.54 of the RSL NSW Constitution is deleted as follows “**A contravention of this section does not invalidate any decision of the Board.**”; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

#### Speaker for the motion: Glenn Daly – Intra Mural District Council

The speaker stated that the importance of managing conflict of interest should not be under-estimated and any conflicts or perceived conflicts should be recorded prior to any discussion and that any circumstance of a decision being made where there is a conflict or perceived conflict should be reported.

No delegates spoke against the motion.

**Results:**

For: 53.01 %

Against: 46.99 %

**Motion Lost.**

### 9.2.8 Board Attendance at District Council Meetings

#### Proposer – Intra Mural

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *clause 13.32 of the Constitution is amended as follows “**The Board, its nominated Director/s or representatives of RSL NSW management may attend District Council meetings upon the giving of reasonable notice “subject to having given not less than fourteen days prior notice” to the District Council President or Secretary.**”; and that*

- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: Ian Bubb – Westpac sub-Branch**

The speaker stated that passing this motion will remove any conflicting interpretation of the words “reasonable”.

No delegates spoke against the motion.

**Results:**

For: 79.78 %  
Against: 20.22 %

**Motion Carried and Resolution Passed.**

**9.2.9 Number of Directors on Board**

**Proposer – Enfield Croydon Park**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution is amended so that:*
- (i) *RSL NSW is governed by a Board of not less than nine and not more than ten Directors; and that*
  - (ii) *at least one (but no more than two) of the Directors are Independent Directors; and that*
  - (iii) *at least eight Directors (including the President) are Elected Directors; and that*
  - (iv) *if a casual vacancy is created from amongst the Elected Directors the Board must fill the casual vacancy in accordance with the Constitution if the next Board Election is more than 12 months away; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

There were no speakers for or against the motion.

**Results:**

For: 45.86 %  
Against: 54.14 %

**Motion Lost.**

**9.2.10 Elected Director Eligibility Criteria**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

**THAT:**

- (a) *the RSL NSW Constitution be amended to provide that the eligibility criteria for an Elected Director includes a provision that to serve as an Elected Director, a person must be a Service Member with at least five years' service Membership within the RSL, noting for clarity that if passed, this special resolution will not affect the eligibility of any Director currently serving on the Board of RSL NSW; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker expressed that it was important for directors to have experience in the processes and workings of sub-Branches and the RSL.

There were no speakers against the motion.

**Results:**

For: 58.24 %

Against: 41.76 %

**Motion Lost.**

**9.2.11 Standard Operating Procedures (SOPs)**

**Proposer – Gundagai**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

**THAT:**

- (a) *the RSL NSW Constitution is amended to:*
  - (i) *define SOPs as guidelines setting out best practices to follow this Constitution in governing the operations of the RSL NSW, sub-Branches, District Councils, and any relevant body; and*
  - (ii) *provide that Directors, District Council Delegates, District Councils, District Council Executives, the District Presidents' Council, RSL NSW Members, sub-Branches, sub-Branch Executives and Trustees must comply with any Policy made under the Constitution and may utilise SOPs to meet legislative and Constitutional requirement; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: Keith Wood – Gundagai sub-Branch**

The speaker proposed that the strict compliance clause should be removed to allow sub-Branches flexibility in deciding whether or not to apply the SOPs.

**Speaker against the motion: Bryan Willey – Lower North Coast District Council**

The speaker stated SOPs are step by step instructions. They are not guidelines and should be precise.

**Results:**

For: 38.8 %  
Against: 61.2 %

**Motion Lost.**

**9.2.12 SOP Review, Amendment Proposal and Amendment Approval by DPC**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution is amended:*
  - (i) *to provide that any review or adoption of a SOPs must be conducted in consultation with and approved by the DPC; and that*
  - (ii) *all SOPs must be endorsed by the DPC and then forwarded to the Board for final approval; and that*
  - (iii) *if there is a conflict/difference a joint meeting of the Board and DPC must be held to resolve the conflict or difference; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker requested that the motion be withdrawn as it was overshadowed by 9.2.11 above, however, the speaker acknowledged that he had not obtained approval from members for the motion to be withdrawn and therefore the motion went to vote.

**Speaker against the motion: John Greig – Bundeena sub-Branch**

The speaker advised that this matter was already proposed in Set 1 of the motions and rejected. He said that it would be crucial that the District Presidents Council retain the approval rights over SOPs and policies failing which the Board would be required to not just have discussions with members, but to actually negotiate acceptable outcomes.

**Results:**

For: 26.7 %  
Against: 73.3 %

**Motion Lost.**

**9.2.13 Affiliate Members – Eligibility to hold sub-Branch Office**

**Proposer – FWMDC**



The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution is amended to provide that sub-Branch Presidents **AND Vice Presidents** must be Service Members with other officeholders able to be either Service or Affiliate Members of the sub-Branch; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that this motion recognises the representative role of the President of a sub-Branch and acknowledges that when a Vice President takes up Presidential duties they should also be a service member.

There were no speakers against the motion.

**Results:**

For:	74.86 %
Against:	25.14 %

**Motion carried and resolution passed.**

**9.2.14 Membership Fees**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the clauses in the Constitution relating to RSL NSW Membership fees being prescribed by the Board and the Membership fee split (being the amount payable to ANZAC House and the amount to be retained by the sub-Branch) being determined at any annual general meeting be deleted; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that the clause should be removed as it lacks relevance in a context where there are no membership fees.

**Speaker against the motion: Bryan Willey – Lower North Coast District Council**

The speaker stated that the clause should stay in the Constitution as it allows the Board flexibility to reintroduce membership fees at a later time.

**Results:**

For: 34.27 %  
Against: 65.73 %

**Motion Lost.**

**9.2.15 Membership Fees to be set at \$5.00**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution be amended to prescribe that all RSL NSW Members must pay annual Membership fees of five dollars to the sub-Branch to which they are attached or in relation to Members attached to ANZAC House, to RSL NSW; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that the clause should be introduced as it is considered a way to manage membership each year by putting the onus of renewal onto members and not the secretary of the sub-Branch to solicit membership renewals.

**Speaker against the motion: Bryan Willey – Lower North Coast District Council**

The speaker stated that the clause should not be introduced in the Constitution as membership renewal is now based on whether a member is active or inactive and that there were alternative ways to confirm whether a member wishes to remain attached to the sub-Branch as a member of the RSL.

**Results:**

For: 28.65 %  
Against: 71.35 %

**Motion Lost.**

## 9.2.16 Annual General Meeting and General Meetings Delegate Responsibilities

### Proposer – FWMDC

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the Constitution be amended to provide that:*
  - (i) *each District Council and sub-Branch Delegate (or Alternate) at a general meeting or annual general meeting must familiarise themselves with the Constitution prior to the meeting; and that*
  - (ii) *the Delegate is to ensure that any views expressed by the District Council or sub-Branch which he/she represents are conveyed to the meeting irrespective of their personal opinion; and that*
  - (iii) *Delegates must vote in accordance with the direction of the sub-Branch provided at a general meeting of the sub-Branch which direction may include a right for the Delegate to be influenced by the debate at the annual general meeting or the general meeting and amend their vote subject to their doing so in good faith, in the best interests of the sub-Branch and reporting back to the sub-Branch; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

### Speaker for the motion: David Ingram – Far Western Metropolitan District Council

The speaker stated that the purpose of this motion is to ensure that any speaker at a Congress/AGM/GM is expressing the view of the sub-Branch and not individual member views.

There were no speakers against the motion.

#### **Results:**

For:	53.55 %
Against:	46.45 %

#### **Motion Lost.**

## 9.2.17 Conduct of Annual General Meeting – Role of the Chair

### Proposer – FWMDC

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution be amended to provide that:*
  - (i) *the President will preside as chair of an Annual General Meeting or General Meeting; and that*

- (ii) if the President is not present, the Directors must choose another Elected Director as chair; and that*
- (iii) the chair is responsible for the conduct of the meeting in accordance with this Annexure C and the SOPs; and that*
- (b) the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker for this motion stated their belief that these directives should be in the Constitution and not in the SOPs.

There were no speakers against the motion.

**Results:**

For: 49.45 %  
Against: 50.55 %

**Motion Lost.**

**9.2.18 Conduct of Annual General Meeting – Content of Annual General Meeting**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

**THAT:**

- (a) the RSL NSW Constitution be amended to provide that the Annual General Meeting of RSL NSW must include:*
  - (i) a report by the President;*
  - (ii) debate and voting on all resolutions and motions proposed and approved in accordance with the Constitution;*
  - (iii) presentation of the financial statements from the previous financial year and a report by the Board in relation to financial statements;*
  - (iv) a presentation of an auditor's report;*
  - (v) a comprehensive annual report; and that*
- (b) the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that the motion was important to ensure that all relevant business is covered at the AGM/Congress.

**Speaker against the motion: Bryan Willey– Lower North Coast District Council**

The speaker stated that there was no reason to add a clause amending the Constitution when these matters are already addressed at the AGM/Congress.

**Results:**

For: 40 %  
Against: 60 %

**Motion Lost.**

**9.2.19 Adjourning Meetings where Technical Difficulties**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the RSL NSW Constitution is amended to provide that if there is a technical difficulty at an Annual General Meeting or General Meeting and that meeting is being held by teleconference or remotely, the meeting must be adjourned as opposed to the current position where the chair has the discretion to continue the meeting in the place where the chair is present; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that this motion was important to ensure that everyone who wanted to participate in a meeting could do so as opposed to the participation being at the Chair's discretion.

There were no speakers against the motion.

**Results:**

For: 62.09 %  
Against: 37.91 %

**Motion Lost.**

**9.2.20 Tribunal Notification**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the Constitution be amended to expressly state that where a matter is being referred to the RSL NSW Tribunal, the Board must provide the person or*

- party being referred with full details of the allegations supporting the referral; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that currently the form of a tribunal referral does not prescribe inclusion of details of the allegations, only the allegations.

There were no speakers against the motion.

**Results:**

For: 54.95 %  
Against: 45.05 %

**Motion Lost.**

**9.2.21 Tribunal Limitation**

**Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

**THAT:**

- (a) *the Constitution be amended to expressly state that the RSL NSW Tribunal may only consider the matter referred to it by the RSL NSW Board as it relates to clause 17.3 of the Constitution; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker stated that while the Tribunal is bound by procedural fairness, however, the rules are not published anywhere and the motion limits the amount of investigation that the Tribunal is allowed to conduct when questioning a respondent.

There were no speakers against the motion.

**Results:**

For: 51.1 %  
Against: 48.9 %

**Motion Lost.**

**9.2.22 CEO Representation at Tribunal**

## **Proposer – FWMDC**

The following motion was considered as a special resolution requiring a constitutional majority of two thirds present and entitled to vote to be passed:

*THAT:*

- (a) *the Constitution be amended to provide:*
  - (i) *that the CEO will forward evidence collected by State Branch staff on matters referred to the RSL NSW Tribunal by the RSL NSW Board; and that*
  - (ii) *any evidence and submissions must be provided to the RSL NSW Tribunal and the Respondent not less than seven days prior to the Disciplinary Meeting; and that*
- (b) *the Board of RSL NSW arrange for the wording of the Constitution to be so amended and for the relevant amended Constitution instrument to be circulated to Members by no later than 3 months prior to the 2022 AGM.*

## **Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker advised that given the motion at 9.1 did not pass, there was no reason to move forward with this motion. RJ advised that it could be considered by members with a view to amending the 2019 Constitution, so the matter should go to the vote.

There were no speakers against the motion.

### **Results:**

For:	50 %
Against:	50 %

### **Motion Lost.**

## **9.3 Set 3: Motions Requiring Further Review**

### **9.3.1 Renumber Constitution**

#### **Proposer – FWMDC**

The following motion was considered (simple majority):

*THAT the Board will:*

- (a) *consult with Members in relation to the proposed amendment to the Constitution set out below;*
- (b) *arrange for that proposed amendment to be discussed at the 2022 AGM; and then*
- (c) *arrange for that proposed amendment to be considered in accordance with the Constitution for the purposes of the 2023 AGM.*

#### **Proposed Amendment:**

To renumber the RSL NSW Constitution in public service numbering style as follows:

- 1. Title
  - SubTitle (if needed)
    - 1.1 Sub-Clause
      - 1.1.1 sub-sub-clause
        - 1.1.1.1 sub-sub-sub-clause
          - 1.1.1.1.1 sub-sub-sub-sub-clause

**Speaker for the motion: David Ingram – Far Western Metropolitan District Council**

The speaker advised the meeting that these changes will make it easier to refer to matters in and read the Constitution. The speaker advised the meeting that the motion was put in the third group of Constitutional motions by ANZAC House for consideration by Members and not by the proposers of the amendment and that the speaker felt that this was a change that could easily be adopted by members.

There were no speakers against the motion.

**Results:**

For: 50 %  
Against: 50 %

**Motion Lost.**

**9.3.2 One Member One Vote at Annual General Meeting/General Meeting**

**Proposer – Castle Hill & District RSL sub-Branch via FWMDC**

The following motion was considered (simple majority):

*THAT the Board will:*

- (a) *consult with Members in relation to the proposed amendment to the Constitution set out below;*
- (b) *arrange for that proposed amendment to be discussed at the 2022 AGM; and then*
- (c) *arrange for that proposed amendment to be considered in accordance with the Constitution for the purposes of the 2023 AGM.*

**Proposed Amendment**

*To amend the RSL NSW Constitution to introduce a one vote one member regime for all voting on motions at Annual General Meetings and General Meetings.*

There were no speakers for the motion.

**Speaker against the motion: Todd Vercoe – Bowraville sub-Branch**

The speaker advised the meeting that this motion will disadvantage smaller, regional sub-Branches and create a scenario where larger metropolitan sub-Branches will have a disproportionate say in what happens in smaller regional sub-Branches.



**Results:**

For: 16.48 %

Against: 83.52 %

**Motion Lost.****9.3.3 Sub-Branch with Less than 10 Service Members****Proposer – RSL NSW Board**

The following motion was considered (simple majority):

*THAT the Board will:*

- (a) *consult with Members in relation to the proposed amendment to the Constitution set out below;*
- (b) *arrange for that proposed amendment to be discussed at the 2022 AGM; and then*
- (c) *arrange for that proposed amendment to be considered in accordance with the Constitution for the purposes of the 2023 AGM.*

**Proposed Amendment**

*That if the number of Service Members attached to a sub-Branch falls below ten at any time, the sub-Branch must consult with RSL NSW to either:*

- (a) *establish a Chapter of another sub-Branch or amalgamate with another sub-Branch; or*
- (b) *if a sub-Branch is unable to establish a Chapter or to amalgamate cease to be a sub-Branch and return its Charter to RSL NSW.*

**Speaker for the motion: Sophie Ray – Chair RSL NSW**

The speaker advised that the motion is self-explanatory and if passed will trigger member consultation on the issue. She explained that the issue arises from the increasing number of small sub-Branches who find it increasingly difficult to find volunteers and manage their various compliance obligations.

**Speaker against the motion: John Greig – Bundeena sub-Branch**

The speaker stated that passing this motion will have a long-term impact on small communities in which smaller sub-Branches operate and that it is not good policy to encourage the closure of sub-Branches in towns where the next sub-Branch was 100kms away necessitating travel for quite possibly aged veterans.

**Results:**

For: 40.76 %

Against: 59.24 %

**Motion Lost.**

PATRON  
ADDRESS

Her Excellency The Honourable Margaret Beazley AC QC, Governor of NSW addressed the Congress.

MERITORIOUS  
SERVICE MEDAL

Edmund Smith, Caringbah RSL sub-Branch  
Gary Tomkins, Belfield RSL sub-Branch  
Paul Bryant, City of Fairfield RSL sub-Branch  
Colin Wilson, Windsor & District RSL sub-Branch

RJ thanked Her Excellency for honouring the members with a presentation at Government House.

LIFE  
MEMBERSHIP

John Westerby Bailey, Sawtell RSL sub-Branch  
Thomas Banister, Dungog RSL sub-Branch  
John Bridle OAM RFD (Rtd), Dee Why RSL sub-Branch  
David Keith Crouch, Gresford RSL sub-Branch  
The Late Wallace Edwards, Harbord RSL sub-Branch  
Anthony Fryer, St Marys RSL sub-Branch  
Elizabeth Ann Garland, Lakemba RSL sub-Branch  
Graeme Greyson, Woolgoolga RSL sub-Branch  
Kevin Hagan, Bondi Junction/Waverley RSL sub- Branch  
Reginald Hearne, Wagga Wagga RSL sub-Branch  
Sydney Lynch, Cardiff RSL sub-Branch  
James Park, Balmain Rozelle RSL sub-Branch  
Gary Roser, Bass Hill RSL sub-Branch  
Bevin Router, Woy Woy-Ettalong-Hardys Bay RSL sub-Branch  
Peter Douglas Smyth, War Veterans Village RSL sub-Branch  
Gary Spencer, Port Macquarie RSL sub-Branch  
Keith Tucker, Harbord RSL sub-Branch  
William Charles Wright, Oatley RSL sub-Branch

LIFE  
MEMBERSHIP  
RSL AUXILIARY

Yvonne Bleach, Bundeena RSL Auxiliary  
Patricia Buttenshaw, Sawtell RSL Auxiliary  
Grace Franks, Manilla RSL Auxiliary  
Mair Fullerton, East Maitland RSL Auxiliary  
Sally Ann Maslen, Bundeena RSL Auxiliary  
Patricia Parker, Sawtell RSL Auxiliary  
Patricia Perry, Ingleburn RSL Auxiliary  
Linda Whieldon, Ingleburn RSL Auxiliary

The Lady Woodward Cup was awarded to ANZAC House Auxiliary (Penshurst), for the highest amount raised for RSL DefenceCare in 2021.

VOTE OF  
THANKS:

RJ offered a vote of thanks to those involved in managing the arrangements for the congress.

MINUTES (cont'd):

RJ advised that the minutes of the AGM would be available on the website by 17 December 2021.

CLOSURE:

RJ declared the meeting closed at 5.09 pm.

Approved as a true and correct record of the proceedings of the meeting.

Chairman:

Date: