



RSL

NSW

2021 State Congress & AGM

The Returned and Services League of
Australia (New South Wales Branch)

Monday 6 December 2021
Results of Motions

1. Minutes of Annual General Meeting

That Members adopt the minutes of the 2020 Annual General Meeting.

Proposer: RSL NSW Board

Simple majority 50.1% to carry

For 100 %

Against 0 %

MOTION CARRIED

2. Register of Motions

That Members note:

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

Proposer RSL NSW Board

For Noting

Motion Noted

3. Strategic Plan Report

That Members note the progress report published on the RSL NSW Website for Member consideration on 1 December (following the Board Meeting on 27 November) which will be formally presented to Delegates on Day 2 of the Annual Congress/AGM.

*Proposer RSL NSW Board
For Noting*

Motion Noted

4. Annual Report, Financial Statements & Auditor's Report

That Members adopt the Financial Statement and Auditor's Report for RSL NSW for the Financial Year ended 30 June 2021 and note the Annual Report of RSL NSW for the year ended 30 June 2021 and that the Annual Report will be lodged with the Minister for Sport, Multiculturalism, Seniors and Veterans following the 2021 AGM.

Proposer RSL NSW Board

Financial Statements Adopted and Annual Report noted

For 100 %

Against 0 %

MOTION CARRIED

5. Standing Motion – Membership Fee

That Members note that in accordance with the Strategic Plan 2021-26 no annual membership fee is payable in 2022 and that no capitation fee allocation is to be determined pursuant to Appendix B, clause 11 of the RSL NSW Constitution.

Proposer RSL NSW Board

Financial Statements Adopted and Annual Report noted

Motion Noted

6. Venue for next Annual Congress/AGM

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 **Newcastle Exhibition & Convention Centre, 309 King Street, Newcastle West**. The Board will determine whether or not such next meeting will be held by way of in person attendance or by remote technology in its discretion.

Clause 8.1 of RSL NSW Constitution

Simple majority 50.1% to carry

For 98.33 %

Against 1.67 %

MOTION CARRIED

7.1 Support to Veterans admitted to hospital

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.

Proposer: Wingham RSL sub-Branch

Simple majority (50.1%) to carry

For 97.22 %

Against 2.78 %

MOTION CARRIED

7.2 Tax Free TPI Pension

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.

Proposer Old Bar Beach RSL sub-Branch

Simple majority (50.1%) to carry

FOR 93.18 %

AGAINST 6.82 %

MOTION CARRIED

7.3 Qualifying Service Medal

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.

*Proposer Moree RSL sub-Branch
Simple majority (50.1%) to carry*

FOR 74.86 %

AGAINST 25.14 %

MOTION CARRIED

8.1 MCA – Maritime Services Board Memorial

That RSL NSW consult with the Premier of New South Wales to have the War Memorial situation 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.

Proposer Maritime Services Board

Simple majority (50.1%) to carry

For 98.88 %

Against 1.12 %

MOTION CARRIED

8.2 Report on AGM Motions

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.

*Proposer Northern Metropolitan District Council
Simple majority (50.1%) to carry*

For 96.09 %

Against 3.91 %

MOTION CARRIED

8.3 Recruiting Program

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

*Proposers Castle Hill & District/Queanbeyan RSL sub-Branches
Simple majority (50.1%) to carry*

For 86.59 %

Against 13.41 %

MOTION CARRIED

8.4 Virtual Membership within Current Membership Categories

That virtual membership be adopted as an additional recruitment tool for RSL NSW.

*Proposer Byron Bay RSL sub-Branch
Simple majority (50.1%) to carry*

For 64.77 %

Against 35.23 %

MOTION CARRIED

8.5 Expansion of Charitable Purpose to Broaden Definition of Veteran

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

- a) who are veterans with 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.

Proposer Byron Bay RSL sub-Branch

Simple majority (50.1%) to carry

For 67.23 % Against 32.77% MOTION CARRIED

8.6 Review of RSL Badge

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.

Proposer Forestville RSL sub-Branch

Simple majority (50.1%) to carry

For 34.64 %

Against 65.36 %

MOTION LOST

9.1 Adopt Amended Constitution

THAT the Amended Constitution annexed to and circulated with this 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 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).

Proposer RSL NSW Board

Special resolution two-thirds majority (66.7%) to carry

For 65.17 %

Against 34.83 %

MOTION LOST

9.2.1 President Cannot Be Trustee

That 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.

Proposer RSL NSW Board

Special resolution two-thirds majority (66.7%) to carry

For 50 %

Against 50 %

MOTION LOST

9.2.2 Treasurer Cannot Be Trustee

THAT 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.

Proposer RSL NSW Board

Special resolution two-thirds majority (66.7%) to carry

For 55.19 %

Against 44.81 %

MOTION LOST

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

THAT 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.

*Proposer Bateman's Bay RSL sub-Branch & Far Western Metro DC
Special resolution two-thirds majority (66.7%) to carry*

For 83.7 %

Against 16.3 %

MOTION CARRIED

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

THAT the RSL NSW Constitution be amended to require the RSL NSW Chair to be a Director fulfilling the eligibility criteria for an Elected Director.

*Proposer Bateman's Bay RSL sub-Branch and Far Western Metropolitan DC
Special resolution two-thirds majority (66.7%) to carry*

For 66.12 %

Against 33.88 %

MOTION LOST

9.2.5 Membership Register Update following Amalgamation

THAT the RSL NSW Constitution is amended to prescribe that following amalgamation, the Membership Register will be updated by the sub-Branch which has amalgamated.

Proposer Intra Mural RSL sub-Branch

Special resolution two-thirds majority (66.7%) to carry

For 59.02 %

Against 40.98 %

MOTION LOST

9.2.6 Improper Service of Board Meeting Notice

THAT 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)~~”

Proposer Intra Mural RSL sub-Branch

Special resolution two-thirds majority (66.7%) to carry

For 62.3 %

Against 37.7 %

MOTION LOST

9.2.7 Invalidity of Decision Making where Director Conflict of Interest

THAT 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.~~

Proposer Intra Mural RSL sub-Branch

Special resolution two-thirds majority (66.7%) to carry

For 53.01 %

Against 46.99 %

MOTION LOST

9.2.8 Board Attendance at District Council Meetings

THAT 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.”

Proposer Intra Mural RSL sub-Branch

Special resolution two-thirds majority (66.7%) to carry

For 79.78 %

Against 20.22 %

MOTION CARRIED

9.2.9 Number of Directors on Board

THAT 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.

Proposer Enfield Croydon Park RSL sub-Branch

Special resolution two-thirds majority (66.7%) to carry

For 45.86 %

Against 54.14 %

MOTION LOST

9.2.10 Elected Director Eligibility Criteria

THAT 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.

Proposer Far Western Metropolitan District Council

Special resolution two-thirds majority (66.7%) to carry

For 58.24 %

Against 41.76 %

MOTION LOST

9.2.11 Standard Operating Procedures

THAT 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 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 requirements.

Proposer Gundagai RSL sub-Branch

Special resolution two-thirds majority (66.7%) to carry

For 38.80 %

Against 61.20 %

MOTION LOST

9.2.12 SOP Review, Amendment Proposal and Amendment Approval by DPC

THAT the RSL NSW Constitution is amended to provide that:

- (i) 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.

Proposer Far Western Metropolitan District Council

Special resolution two-thirds majority (66.7%) to carry

For 26.70 %

Against 73.30%

MOTION LOST

9.2.13 Affiliate Members – Eligibility to hold sub-Branch Office

THAT 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.

*Proposer Far Western Metropolitan District Council
Special resolution two-thirds majority (66.7%) to carry*

For 74.86 %

Against 25.14 %

MOTION CARRIED

9.2.14 Membership Fees

THAT 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.

*Proposer Far Western Metropolitan District Council
Special resolution two-thirds majority (66.7%) to carry*

For 34.27 %

Against 65.73 %

MOTION LOST

9.2.15 Membership Fees to be set at \$5.00

THAT 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.

Proposer Far Western Metropolitan District Council

Special resolution two-thirds majority (66.7%) to carry

For 28.65 %

Against 71.35 %

MOTION LOST

9.2.16 Annual General Meeting and General Meetings Delegate Responsibilities

THAT the Delegate responsibilities at the Annual General and General Meetings be further prescribed (see motion 9.2.16 in the Notice of Meeting).

*Proposer Far Western Metropolitan District Council
Special resolution two-thirds majority (66.7%) to carry*

For 53.55 %

Against 46.45 %

MOTION LOST

9.2.17 Role of Chair - AGM/General Meeting

THAT 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.

Proposer Far Western Metropolitan District Council

Special resolution two-thirds majority (66.7%) to carry

For 49.45 %

Against 50.55 %

MOTION LOST

9.2.18 Content of Annual General Meeting

THAT 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.

Proposer Far Western Metropolitan District Council

Special resolution two-thirds majority (66.7%) to carry

For 40.00 %

Against 60.00 %

MOTION LOST

9.2.19 Adjourning Meetings - Technical Difficulties

THAT 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.

*Proposer Far Western Metropolitan District Council
Special resolution two-thirds majority (66.7%) to carry*

For 62.09 %

Against 37.91%

MOTION LOST

9.2.20 Tribunal Notification

THAT 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.

*Proposer Far Western Metropolitan District Council
Special resolution two-thirds majority (66.7%) to carry*

For 54.95 %

Against 45.05 %

MOTION LOST

9.2.21 Tribunal Limitation

THAT 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.

*Proposer Far Western Metropolitan District Council
Special resolution two-thirds majority (66.7%) to carry*

For 51.10 %

Against 48.90 %

MOTION LOST

9.2.22 CEO Representation at Tribunal

THAT 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.

*Proposer Far Western Metropolitan District Council
Special resolution two-thirds majority (66.7%) to carry*

For 50.00 %

Against 50.00 %

MOTION LOST

9.3.1 Renumber Constitution

Consultation for 2023 Constitutional Amendment

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

1. Title

SubTitle (if needed)

1.1 SubClause

1.1.1 sub-sub-clause

1.1.1.1 sub-sub-sub-clause

1.1.1.1.1 sub-sub-sub-sub-clause

Proposer Far Western Metropolitan District Council

Simple majority (50.1%) to carry

For 50.00 %

Against 50.00 %

MOTION LOST

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

Consultation for 2023 Constitutional 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.

Proposer Castle Hill & District RSL sub-Branch via Far Western Metropolitan District Council

Simple majority (50.1%) to carry

For 16.48 %

Against 83.52 %

MOTION LOST

9.3.3 Sub-Branch with Less than 10 Service Members

Consultation for 2023 Constitutional 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 establish a Chapter of another sub-Branch or amalgamate with another sub-Branch or 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.

Proposer RSL NSW Board

Simple majority (50.1%) to carry

For 40.76 %

Against 59.24 %

MOTION LOST