

Australia and the Constitution of the Returned and Services League of Australia.

If an applicant for Service Membership is not an Australian citizen, then unless he proves to the satisfaction of the League that by making a declaration required by Rule 18.10 he would or would be likely to lose his citizenship, he shall make such declaration, failing which, he shall not be admitted as an Service Member.

18.11 The By-laws may make provision for terms and conditions of membership (including applications for and resignations from) not otherwise provided for in this constitution.

18.12 State Branch is to maintain an Unattached List of Members and a Miscellaneous List of Members in accordance with the procedures set out in the By-laws. In addition, the League may also maintain either or both lists at National Headquarters.

Dispute and their Resolution

18.13 In Rules 19-23, procedures are laid down for the formal investigation of disciplinary matters and for the hearing of appeals arising from both administrative and disciplinary decisions. In many cases these actions arise from disputes between members and between officers and executives of the RSL and its members.

18.14 Sub-branches are encouraged to develop conciliation procedures to resolve disputes before they escalate to the point where formal action needs to be taken.

19. Disciplinary Powers of a Sub-Branch and Appeals Arising There-from

19.1 Notwithstanding the provisions of Rules 21 and 22, if the Committee of a Sub-Branch has reason to believe that a member may be guilty of conduct unbecoming a member it shall give not less than 14 days notice in writing to that member of the date, time and place of its meeting at which it will consider whether or not he has been guilty of such conduct.

19.2 The notice referred to in Rule 19.1 shall be accompanied by a statement in which there shall be set out full and precise particulars of the conduct of the member which will be considered by the Committee.

19.3 Either prior to or at the meeting of the Committee the member concerned may request it to elaborate upon any of the particulars set forth in the said statement. Such a request shall be complied with by the Committee. The said member may put to the Committee at the meeting such facts as he may consider relevant and shall be given every opportunity to address it.

19.4 The Committee shall decide at the meeting whether the member has been guilty of conduct unbecoming a member. If it is satisfied he has been guilty of such conduct, it may resolve that he be placed on a warning to improve his conduct, or be reprimanded or be suspended from membership of the Sub-Branch for a period not exceeding 3 months, or it may resolve that the matter should be referred to the State Branch for its consideration pursuant to Rule 2 1.

19.5 The substance and decision of the meeting referred in Rule 19.4 shall be recorded in the minutes of the meeting. Written notices, submissions and other correspondence relevant to the meeting shall be certified within 7 days after the meeting, by its Chairman, after conferring with the other members of the Committee.

19.6 The Secretary of the Sub-Branch shall notify the member in writing of the Committee's decision and his right of appeal within 14 days after the certification period referred to in Rule 19.5.

19.7 A member aggrieved by a resolution of a Committee by which he was reprimanded or suspended from membership of the Sub-Branch for a period not exceeding 3 months may appeal to the State Branch Tribunal by notice in writing addressed to the State Secretary and lodged with the State Branch Tribunal.

19.8 Such an appeal shall be lodged together with the sum of \$400.00 within 14 days after the date of notification in writing referred to in Rule 19.6 and thereupon the decision of the Committee shall be stayed, (unless otherwise ordered by the State Branch Tribunal) until the appeal is concluded, abandoned or discontinued. Upon application by the member referred to in Rule 19.7, the State Branch Tribunal may waive lodgement of the whole or part of the sum of \$400.00 if it considers it just to do so.

19.9 An appeal lodged pursuant to this Rule shall be accompanied by a statement in writing in which the member shall set out the aspect or aspects of the decision which gave rise to the appeal, the grounds of his appeal and the facts upon which he relies. An appeal shall not be treated as valid unless it complies with this Rule.

19.10 Upon receipt of an appeal the Sub-Branch shall forthwith forward to its State Branch:

- (a) the appeal and accompanying statement;
- (b) the sum of \$400.00 referred to in Rule 19.8;
- (c) all its papers and documents concerning the member, particularly the notice
- (d) and statement referred to in Rule 19.2; and
- (e) a copy of its minutes referred to in Rule 19.5 relating to the matter giving rise to the appeal.

19.11 A State Branch Tribunal shall hear and determine an appeal pursuant to this Rule as soon as possible after receipt by the State Secretary of the documents referred to in Rule 19. 10.

19.12 The Sub-Branch and the member concerned shall have a right of personally attending upon the hearing of the appeal or any application to lift a stay by the State Branch Tribunal having given prior notice that they wish to do so. The State Branch Tribunal shall make its decision based on the information presented at the hearing and that decision regarding an appeal against a reprimand or suspension shall be final.

19.13 The written notices submitted and other correspondence relating to the meeting shall be attached and form part of the minutes and the minutes of the appeal hearing shall be certified by the Chairman within 7 days after the meeting. The decision shall be notified in writing to both the Sub-Branch and the member within 14 days of certification by its Chairman, after conferring with other members of the State Branch Tribunal.

19.14 A resolution passed pursuant to this Rule whereby a member of a Sub-branch is suspended from membership of that Sub-branch shall not operate to otherwise affect the membership of that member, save and except as provided in Rule 25 – Life Members suspended from membership.

20. State Branch Tribunal

20.1 State Branch shall establish a State Branch Tribunal consisting of no fewer than five Service or Life Members which shall hear the following matters:

- (a) appeals from decisions of Sub-Branches, both disciplinary and administrative;