

### **23. The National Tribunal**

23.1 There shall be a National Tribunal of the League, appointed and operating under conditions set out in the National By-Laws, consisting of no fewer than 5 Service or Life Members.

23.2 The National Executive shall appoint the members of the National Tribunal and each shall hold office for a period of 2 years and shall then be eligible for reappointment.

23.3 A member of the National Tribunal shall be deemed to have vacated office if he:

- (a) ceases to be an Service or Life Member of the League;
- (b) becomes a person of unsound mind or a person whose person or estate is
- (c) liable to be dealt with under any law relating to mental health;
- (d) becomes an employee of the League, any of its Branches or Sub-Branchees;
- (e) becomes a member of the National Executive; or
- (f) resigns his office by notice in writing to the National Executive.

23.4 A member who is subject to a penalty imposed by a State Branch Tribunal pursuant to Rule 21.3 or imposed by a person appointed under Rule 22 may appeal to the National Tribunal by notice in writing.

23.5 Upon the hearing of an appeal pursuant to Rule 23.4, the member concerned shall have a personal right of audience before the National Tribunal or with its prior leave, may be represented by any non-legally qualified person.

23.6 In respect of an appeal from the decision of a State Branch Tribunal, the person holding office as a member of the National Executive by virtue of his position in that State Branch, shall have a personal right of audience before the National Tribunal or with its prior leave, the State Branch may be represented by any non legally qualified person.

23.7 In respect of an appeal from the decision of a person appointed under Rule 22, the National Executive may appoint such Service or Life Member as it sees fit (provided he is not legally qualified) to represent it on the hearing of the appeal.

23.8 The National Tribunal shall make its decision based on the information presented at the hearing and its decision shall be final.

23.9 The National Tribunal shall also have jurisdiction to conduct disciplinary proceedings pursuant to Rule 24.

### **24. Disciplinary and Investigative Powers of the National Executive in Relation to State Branches and its Officers**

24.1 If the National Executive has reason to believe that a State Branch and/or its officers have engaged in conduct that is contrary to the National Constitution or By-laws, the National Executive may resolve to inquire into such conduct.

24.2 For the purposes of conducting such an inquiry, the National Executive may appoint such a person as it sees fit as Investigating Officer.

24.3 The State Branch and/or its officers being investigated shall cooperate with the Investigating Officer and shall provide all information and documentation and other assistance that is reasonably requested by him.

24.4 The Investigating Officer shall report in writing to the National Executive as soon as practicable. Such report shall be considered by the National Executive and it shall, if deemed appropriate, either lay a charge in relation to the matters dealt with in the report or take such other action as it sees fit.

24.5 Any charge laid by the National Executive shall be heard by the National Tribunal which shall have power to conduct a disciplinary hearing. The National Tribunal shall:

- (a) give not less than 28 days notice in writing to the State Branch and/or its officers concerned of the date, time and place of the meeting at which it is proposed to consider whether or not the State Branch and/or its officers are guilty of the allegations referred to in the charge laid pursuant to Rule 24.4; and
- (b) serve on the State Branch and/or its officers, at the time of giving them such notice, copies of all papers and documents including full particulars of the said allegations and charge which will be considered by the National Tribunal at that meeting.

24.6 A notice referred to in Rule 24.5 shall inform the State Branch and/or its officers of the provisions of Rules 24.7 to 24.10 inclusive, that they have a personal right of audience only at the said meeting and that they may not be represented by any person.

24.7 If the State Branch and/or its officers exercise the right conferred upon them by Rule 24.6, they shall be granted an audience by the National Tribunal and given every opportunity to put before it such relevant facts and material as they desire.

24.8 If the State Branch and/or its officers do not desire to exercise the right conferred by Rule 24.6, they may nevertheless forward to the National Tribunal such written relevant material as they desire and the National Tribunal shall take that material into account when considering whether or not the allegations in the charge have been proved.

24.9 If the National Tribunal finds a charge proved it shall before taking any further action afford the State Branch and/or its officers the opportunity of submitting to it any mitigating circumstances which it shall take into account.

24.10 Subject to Rule 24.9, the National Tribunal may impose upon an officer of a State Branch one or more of the penalties set out in Rule 21.3 and in respect of the State Branch or any of its officers may recommend by report in writing to the National Executive that it:

- (a) order the State Branch and/or any of its officers to do certain actions or to cease doing certain actions; and/or
- (b) remove from office such officers as are responsible for the actions of the Branch that are the subject of the disciplinary proceedings; and/or
- (c) take some lesser administrative action in respect of the State Branch, or any of its officers.

24.11 A resolution of the National Tribunal imposing a penalty upon an officer or making a recommendation to the National Executive in respect of a State Branch and/or any of its officers shall not be valid unless passed by a majority of the members of the National Tribunal present at the meeting and shall be recorded in the minutes of the meeting and there shall be no further appeal from it.

24.12 The National Executive shall consider any report and recommendation made by the National Tribunal pursuant to Rule 24. 10 and may make such orders in respect of and give such directions to the State Branch and/or any of its officers as it sees fit, provided that any such orders or directions shall not be cumulatively of more serious effect than those recommended by the National Tribunal.

24.13 Penalties, orders and/or directions imposed, made or given pursuant to this Rule shall be binding upon and given effect to by all members of the League.

## **25. Provisions as to Life Members Suspended from Membership or Otherwise Disciplined**

25.1 Where any Life Member has been suspended from membership, transferred to a Miscellaneous List of Members or disqualified from holding office pursuant to this Constitution State Branch shall recommend to the National Executive whether the Life Member shall forfeit any RSL Award and/or his Life Membership. The National Executive shall, as soon as practicable, consider and decide upon any such recommendation. A Life Member who's Life Membership has been forfeited, shall return to the League his badge depicting his Life Membership and be issued, free of charge, with a badge usually issued to a Service Member.

## **26. Re-Admission of Persons Previously Expelled from Membership**

26.1 No person who has been expelled from Service Membership pursuant to this Constitution shall be re-admitted as a Service Member except by the National Executive.

26.2 Before the National Executive considers any application for re-admission, it shall seek the views of the State Branch which originally may have also had jurisdiction over the applicant.

26.3 If any person to whom this Rule applies is re-admitted as a Service Member except by the National Executive, such re-admission shall be invalid.

## **27. Subscriptions**

27.1 A Service Member who is also a member of a Branch or a Sub-Branch shall pay to that Branch or Sub-Branch (as the case may be) such annual subscription as is determined from time to time.

27.2 A Service Member whose name is included in an Unattached List of members or in a Miscellaneous List of members kept by State Branch shall pay such annual subscription as may be determined from time to time

27.3 Each Sub-Branch shall pay to the State Branch having jurisdiction over it, the proportion of each annual subscription received by it, as is determined by State Branch pursuant to Rule 32.21.

27.4 State Branch shall pay to the League a proportion of each annual subscription received by it pursuant to Rule 27.2 and a proportion of each proportion of each subscription received by it pursuant to Rule 27.3, determined and payable in accordance with Rule 32. 1. Such proportions are to be referred to as "capitation fees".

27.5 Annual subscriptions shall be payable in advance on 1 January in each calendar year.