

## **By Law 16**

### **Nomination and Election of State Office Bearers**

1. Elections are to be every three (3) years for the following positions:
  - a. The State President;
  - b. The Deputy State President;
  - c. The Honorary State Treasurer; and
  - d. Three (3) Divisional Vice Presidents
2. The election of office bearers shall be by postal vote only and the results notified at Annual Congress. The following paragraphs and Annexes outline the process to be applied.

### **Nominations**

3. Nominations shall be called for not later than the last Friday in January and are to reach State Branch not later than the second Friday in February in the election year. Nominations are to be submitted to the Chief Executive Officer (Returning Officer) on the authorized nomination form.

### **Nomination Criteria for State Executive**

4. Pursuant to Rule 32 of the Constitution, to nominate for a position on the State Executive of the Returned & Services League of Australia (Tasmania Branch) Inc, the candidate must meet the following criteria:
  - a. Be a financial Service or Life Member of the RSL (Tasmania Branch). The Honorary State Treasurer position, may be filled by Affiliate Member. The nominee must also be financial.
  - b. Have continuous financial membership for a period of not less than five (5) years prior to nomination;
  - c. Held an executive position at Sub Branch Committee level for a period of not less than 12 months;
  - d. Be of good reputation and character.
  - e. Have no medical impairment which would prevent the member from carrying out his duties in what could at times, be a stressful role and could regularly involve in excess of ten (10) hours commitment per week.
  - f. Not have a conviction under Criminal Law;
  - g. Not have been found guilty of any offence pursuant to Rule 12 or Rule 13 of the State Branch Constitution, within the past five years;
  - h. Have a sound knowledge of the workings of the RSL and its Constitution;

- i. Not be a declared Bankrupt;
- j. Have previous relevant business or board experience;
- k. Willingly accept the roles and responsibilities of an Executive Officer on the RSL in accordance with the Constitution;
- l. Provide a short biography and photograph; and
- m. Provide an outline of their views for the future direction of the RSL.

### **Duty Statements – Vice Presidents**

4. Attached at Annex C to this By Law is the Duty Statement for the position of Divisional Vice President. Nominees should ensure that the Duty Statement is read and understood prior to submitting their nominations.

### **Draw of Nominees**

5. The draw to allocate nominees to the ballot shall be conducted on the third Monday of February in the election year at 10:00am at State Branch. Nominees or a representative may attend the draw.

### **Voting**

6. Ballot Papers listing the names of all candidates and positions to be filled shall be forwarded to each Sub Branch not later than the last Friday in February of the election year.

7. Ballot Papers are required to be returned to the State Branch sealed in the return envelope supplied with the Ballot Paper. Ballot Papers are to be received at State Branch not later than Close of Business (COB) on the third Monday of April in the election year. All Ballot Papers that are received at State Branch after that time will be excluded from the count.

### **Counting**

8. On the day following the Closing Date the sealed Ballot Envelopes are to be delivered to an external agency for counting. The Chief Executive Officer (Returning Officer) is responsible for the safe delivery of the sealed Ballot Envelopes to the selected agency.

### **Notification of Results**

10. The results of voting are to be provided to the Chief Executive Officer (Returning Officer), in a sealed envelope to be opened and announced at Annual State Congress.

### **Example Documents**

11. An example Nomination Form is at Annex A and an example Ballot Paper complete with instructions is at Annex B to this By Law.

**STATE OFFICE BEARER NOMINATION FORM**

**Candidates Full Name:** Michael William Gallagher

Address 14 Richardsons Road Sandford, TAS 7020

Date of Birth 13 /08 / 1955

(Being a financial member of South Arm RSL Sub Branch.

**Proposed by** \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_ / \_\_ / \_\_

(Being a financial member of South Arm RSL Sub Branch.

**Seconded by** \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_ / \_\_ / \_\_

(Being a financial member of South Arm RSL Sub Branch.

I agree to my nomination for:

(Tick each position that you wish to be nominated for and leave others unmarked)

\_\_\_ State President

\_\_\_ Deputy State President

\_\_\_ Honorary State Treasurer

\_\_\_ Vice President for \_\_\_\_\_ Division

- Affiliates are eligible to nominate for the Honorary State Treasurer position.

Nominee's signature



Date 12/04/2023

Nominee's printed name Michael William Gallagher

**Pen Picture**

In order to provide the voting members some information that will allow them to make a more informed selection, Nominees are required to provide a "Pen Picture" of approximately half an A4 typed page. The "Pen Picture" should summarize the background and merit of the nominee to hold the proposed position. A recent photograph of the Nominee should also be provided.

**EXAMPLE BALLOT PAPER**

(Candidates are listed in random order by draw, *not* in order of preference).

<b>Position</b>	<b>Candidate</b>	<b>Order of Preference</b>
State President	John Smith	3
	Peter Jones	5
	Joe Abbott	2
	Albert Stevens	1
	Jeff Black	4
Deputy State President	John Smith	3
	Peter Jones	5
	Joe Abbott	2
	Albert Stevens	1
	Jeff Black	4
<b>Southern Division</b>		
Divisional Vice President	George Free	3
	Peter Jones	5
	Joe Abbott	2
	Albert Stevens	1
	Bob James	4

The design and layout of the Ballot Paper may change without notice

## BALLOT PAPER INSTRUCTIONS

1. Candidates are listed against each position in random order as determined by the ballot draw, and *not* in order of preference. Their position on the Ballot Paper is not an indication of how to vote.
2. A preference must be indicated for each candidate in each position.
3. Preferences are to be marked by numerals starting at '1' with '1' being the highest or first preference. Cards marked with ticks, other symbols or left blank shall be invalid.

(Refer to the example Ballot Paper)

4. In the event that 'Albert Stevens' is the first preference for the position of State President then mark '1' against his name and continue to mark the others according to preference until all candidates have been ranked.

(Refer to the example Ballot Paper)

5. It is permissible to mark the same candidate as first preference to another position. This may be done so that should the candidate be unsuccessful in being elected to one position he/she may be appropriately ranked for another position.
6. In the event that a candidate is elected to a position, he/she is prohibited from holding a further position and his/her name is to be struck from all other nominated positions (if any). This striking is to be actioned by the counting officer and all remaining nominees ranked according to the next preference.

## **THE DUTIES OF A DIVISIONAL VICE PRESIDENT**

Divisional Vice Presidents shall hold office for a period of three years and shall be eligible for re-election.

Duties of the position include:

1. Visiting the Sub Branches in their State Division, on invitation, or on a periodic basis, in order to obtain an appreciation of the Sub Branch operations, this includes attending committee meetings and the AGM. Any difficulties being experienced with aspects of the League's policy should be identified.
2. Act as mediator and advisor to the Sub Branch President should there be any conflicts within the Sub Branch, seeking advice from the State Branch should the need arise
3. Attend and contribute to the business of meetings of the State Executive, including matters affecting the administration, general governance, finances, management and property of the State Branch.
4. Assist the State President in the conduct of his duties.
5. Represent the State Branch, when necessary, as delegate to the RSL National Congress.
6. Represent the State Executive, when appointed, on the various State Branch Sub-Committees and other Commissions, Deputations and Forums, to which the RSL contributes.
7. Provide guidance and direction to the State Executive within their Vice Presidential Division, in relation to their duties affecting Sub Branches. Written reports on these activities are to be provided to the State Executive.
8. Brief the State President on matters affecting Sub Branches in the Division as they become aware of issues.
9. Represent the RSL, as required, at Commemorative and other activities organized by Commonwealth, State and Local Governments, Community Agencies and Ex-Service Organizations, etc.
10. Contribute to State Executive decisions and interpretation of State Branch Rules, By Laws and Regulations.
11. Contribute to and uphold the traditions and reputation of the RSL.

## **Roles and Responsibilities of a State Executive Member**

The RSL can no longer be seen as an organisation that does good work for its members. We have to be seen a good corporate and community citizen that really does perform within the community and is open, accountable and transparent in all its dealings. This transparency should be seen by all parties, be they members, the general community, and even funding bodies, showing what type of organisation we are and how we operate. This accountability imparts on us the responsibility for the operation of the RSL and ensures that we are open to question, are willing to take responsibility for our actions and decisions and are willing to accept change to our behaviour where warranted.

As we are now an incorporated body we are ultimately responsible to our membership. These are the people that own the organisation and they must all be confident that we, the custodians, are actively striving to ensure our future viability whilst working within an ethical framework.

Members of the Executive are elected by the membership to ensure the continued viability of the organisation between Annual General Meetings commonly referred to as Annual Congress. This stewardship includes responsibility for accountability and transparency of the organisations dealings throughout the year.

Executive Members should be mindful of their responsibilities, which include, but are not limited to:

### **Showing Leadership**

- Providing organisational leadership;
- Understanding your role;
- Being a worker - not a badge collector;
- Being results focused; and
- Having the vision to see and concentrate on the positives in all situations.

### **Having the discipline to**

- Focus on governance;
- Be responsible for working within a group;
- Be accountable for your actions; and
- Speak with one voice.

### **Fulfilling obligations under the Incorporations Act**