



THE ROYAL BRITISH LEGION

(Incorporated by Royal Charter)

PALL MALL, LONDON, SW1Y 5JY



THE ROYAL CHARTER
of
INCORPORATION AND
SCHEDULES

30 MAY 2003

Royal Charter

OF INCORPORATION AND SCHEDULE OF RULES

Recitals

Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS His Majesty King George the Fifth in the year of our Lord one thousand nine hundred and twenty-five by Royal Charter (hereinafter called "the Original Charter") dated the twenty-first day of April in the fifteenth year of His Reign constituted a Body Corporate and Politic by the name of the "British Legion".

AND WHEREAS the purposes for which the Legion was incorporated were to inaugurate and maintain in a strong, positive, non-sectarian, united and democratic comradeship all those who serve or have served in Our Navy, Army or Air Force on Regular, Reserve or Auxiliary engagements so that neither their efforts nor their interests shall be forgotten and that just and equitable treatment shall be secured to them in respect of the difficulties caused in their lives as a result of their services and to consecrate and sanctify that comradeship by devotion to mutual service and helpfulness; and to perpetuate in the civil life of the Commonwealth and the world the principles for which the Nation stands, to inculcate a sense of loyalty to the Crown, Community and Nation, to promote unity amongst all classes, to secure peace and goodwill and to safeguard and transmit to posterity the principles of justice, freedom and democracy:

AND WHEREAS His Majesty King George the Sixth and We Ourselves were graciously pleased to grant Supplemental Charters of various dates amending the Original Charter:

AND WHEREAS We were graciously pleased to declare by the Supplemental Charter dated the tenth day of September, one thousand nine hundred and seventy-one, that the British Legion should henceforth be known as "The Royal British Legion":

AND WHEREAS by the Supplemental Charter dated the tenth day of April one thousand nine hundred and seventy-nine (hereinafter referred to as "the 1979 Supplemental Charter") the Original Charter and all earlier Supplemental Charters were revoked except insofar as their provisions incorporated the Body Corporate and Politic by the name of The Royal British Legion and conferred upon it perpetual succession and authorised it to have a Common Seal and to sue and be sued:

AND WHEREAS by the Supplemental Charter dated the 27th day of May One Thousand Nine Hundred and Ninety Three (the "1993 Supplemental Charter") the Original Charter and all earlier Supplemental Charters were further amended:

AND WHEREAS The Royal British Legion has by its humble petition represented unto Us that it is expedient that the Original Charter as amended by the 1979 Supplemental Charter and the 1993 Supplemental Charter should be further amended and that this can best be effected by the grant of a new Supplemental Charter replacing the 1993 Supplemental Charter and the earlier Supplemental Charters and has prayed for the grant of a new Supplemental Charter accordingly:

Articles

Revocation

THEREFORE KNOW YE that We are pleased to command on behalf of our heirs and successors, as follows:

1. This declaration revokes the 1993 Supplemental Charter, except for Articles 1 and 2. These articles confirm The Royal British Legion as a corporate body for all time, with the right to have a Common Seal, to sue and be sued, and to hold and to use all the other powers of a corporate body. Anything that has been lawfully done under the 1993 Supplemental Charter remains legal and valid; the revocation does not affect it.

Rules: the Rules in the First Schedule to this Charter, as they may be amended from time to time.

Special Resolution of the Annual Conference: a resolution of the Annual Conference on a motion of which due notice shall have been given before the Conference and passed by a two thirds majority of those present at the Conference entitled to vote and voting by ballot.

Special Resolution of the National Council: a resolution of the National Council on a motion of which due notice shall have been given to the Members of the Council before the meeting at which the motion is to be considered and passed by a majority of two thirds of those present qualified to vote and voting.

Objects

3. (a) to relieve need and to further the education of beneficiaries and their spouses, children and dependants;
- (b) to relieve need and protect the mental and emotional health of the women and children left by those who have died in service;
- (c) to relieve suffering, hardship and distress to spouses and dependants caused by the absence of those serving in the Royal Navy, Army and Royal Air Force on Regular, Reserve or Auxiliary engagements;
- (d) to promote and support schemes for the resettlement, rehabilitation, retraining and sheltered employment, of beneficiaries and their spouses, children and dependants.

Powers

4. To help achieve the objects, though not to exceed them, and without restricting the powers legally granted to the Legion by the Charter, the Legion has the following powers:
 - (a) to ask for and receive subscriptions and gifts of all kinds, whether absolute or conditional, in aid of the objects, and to obtain money for those objects by any legal means;
 - (b) to arrange for and assist widows, widowers and children to visit the graves of those who have fallen in service;
 - (c) to publish a Legion magazine;
 - (d) to establish and run nursing, residential and convalescent homes for the benefit of beneficiaries who are old, sick and disabled or their widows, widowers, children and dependants. This may include purchasing services from independent agencies; and providing rest breaks for the volunteer carers of the beneficiaries;
 - (e) to make grants or loans, with or without security, to beneficiaries who are in need, and their widows, widowers, children and dependants, to help them find and keep their job or maintain their home;
 - (f) to organise Festivals of Remembrance, services and parades to perpetuate the memory of sacrifices made during service with the Armed Forces in war and peace;
 - (g) to give financial assistance to any ex-Service charity that shares one or more of the objects. Its use must be limited to those objects;
 - (h) to promote, subscribe for, purchase or otherwise acquire any company, society or other institution (in the Charter referred to as the Related Companies) in order to achieve any of the objects;
 - (i) to accept shares in any commercial company that has irrevocably covenanted to pay the whole of its profits to further the objects;
 - (j) to carry on trading activities that are ancillary to carrying out the objects;
 - (k) to acquire any lands or legal interests anywhere in the world, and to hold all land that the Legion is thus authorised to acquire freehold or on lease or otherwise. From time to time but in accordance with the law, it may grant, sell, lease, mortgage or otherwise dispose of part or all of this property;

National Council

10. The Legion will have a National Council as its governing body. The Rules will set out its constitution, functions and powers.

Conferences of the Legion

11. The Legion will hold conferences at times and places determined in accordance with the Rules.
12. The Rules and the Standing Orders drafted by the Conference Committee and approved by National Council will set out the powers and duties of the conferences, the nature of the business they will transact, the rights of representation and the procedure there.

Structure of the Legion

13. The structure of the Legion will be as prescribed by the National Council in accordance with the Rules.

Branches

14. The Legion will have Branches, whose constitution, functions, powers and conditions of operation are set out in the Rules.

Fundraising

15. Fundraising is to take place in the name of the Legion and only for purposes defined in the objects. Similarly, The Royal British Legion title, headed notepaper and accommodation may be used only for the objects of the Legion.

Rules

16. The Rules in the First Schedule to this Charter (referred to here as the Rules) will be the Rules of the Legion until they are revoked, altered or added to as set out below.
17. Any or all of the Rules may from time to time be altered, added to or revoked by a Special Resolution of the Annual Conference but the change will not come into operation until it has been approved by a Special Resolution of the National Council.

Governing Regulations

18. The regulations in the Second Schedule to this Charter (referred to here as the Governing Regulations) will be the Governing Regulations of the Legion until they are revoked, altered or added to as set out below.
 - (a) Any or all of the Governing Regulations may from time to time be altered, added to or revoked by a Special Resolution of the National Council.
 - (b) Any amendment to a Governing Regulation must not conflict with the Charter.
19. Conferences, the National Council, Branches, individual members and administrative structures of the Legion must in all circumstances act in accordance with the Charter, Rules and Governing Regulations.

Amendment to Charter

20. The Charter may from time to time be altered, added to or revoked by a Special Resolution of an Annual Conference that has been subsequently ratified by a Special Resolution of the National Council. However, the change will not take effect unless allowed by Us, Our Heirs or Successors in Council. This Article will apply to this Charter, and to any Supplemental Charter, that is altered, added to or revoked. The change will not affect the validity of anything done under this Charter, or any Supplemental Charter, before the date on which the amendment comes into effect, but thereafter this Charter and any Supplemental Charter will operate as though their amended form had been the original.

THE FIRST SCHEDULE

RULES OF THE ROYAL BRITISH LEGION

DEFINITIONS

1. In these Rules words and phrases defined or used in the Charter have the meaning given to them there.
Annual Conference: a conference held in accordance with Rules 22 to 30.
County/District: the administrative County or District of the Legion as the case may be.
County or District in relation to the Branch: that administrative County or District where a Branch is located.
Independent examiner: an independent person whom the National Council believes to have the ability and practical experience to carry out a competent examination of the accounts.
Member and Membership are defined in Rules 2 to 7 of this schedule.
Qualified auditor: an auditor whose qualifications meet the requirements set from time to time by the National Council.
Region: a geographical area comprising counties and districts.
Standing Orders: the rules regulating the conduct of Annual Conference, drafted by the Conference Committee in accordance with Rule 20.

MEMBERSHIP

2. (a) The Legion has the following classes of membership :
 - (i) Ordinary Member
 - (ii) Life Member
 - (iii) Women's Section Member
 - (iv) Associate Member
 - (v) Youth Associate Member.
- (b) In accordance with Article 6 of the Charter, the individuals identified in Rules 3 to 7 are eligible for membership.

ORDINARY MEMBERSHIP OF THE LEGION

3. Under these Rules any beneficiary (as defined in the Charter) is eligible for Ordinary Membership.

LIFE MEMBERS OF THE LEGION

4. Life Members are those whose services to the Legion, in the opinion of the National Council, merit this honour and are awarded it. Life Members also include people who were admitted to Life Membership before 9 June 1962 on payment of a lump sum in lieu of all future annual subscriptions.

WOMEN'S SECTION MEMBERS

5. (a) There are 3 classes of Women's Section Members: Ordinary Members, Life Members and Associate Members. On admission to any of the classes of Women's Section Membership, the entrant becomes a member of the Women's Section established by Article 7 of the Charter.
- (b) People eligible to be Ordinary Members of the Women's Section are:
 - (i) women who are eligible for Ordinary Membership of the Legion;
 - (ii) women, over the age of 16, who are the wives, widows, mothers, sisters, daughters, grand-daughters or dependants of people who are or were eligible to be Ordinary members of the Legion;
 - (iii) women of the Voluntary Aid Societies of the Commonwealth (i.e. St. John Ambulance, St. Andrew's Ambulance Association and the British Red Cross Society) who possess a certificate

HONORARY MEMBERS

11. (a) A member of the Legion who has held the office of Chairman of the Legion for 3 or more consecutive years before 26 May 1992 will be an Honorary Life Member of the National Council for so long as he (or she) retains Ordinary or Life Membership of the Legion.
- (b) A Chairman appointed after 25 May 1992 will become an Honorary Member of the Council for a further 3 years after his (or her) term of office expires, so long as he maintains his Ordinary or Life Membership of the Legion. However, he may continue to hold the office of Chairman of the Legion for as many periods of office of 3 years as he is elected to do so.
- (c) Honorary Members of the National Council may attend and speak at all meetings of the Council but, unless Rule 11(e) applies, do not normally have a vote at these meetings, and are not held legally responsible in any way for any act or omission or decision of any kind by the Council.
- (d) An Honorary Member of the National Council appointed on or after 27 May 1990 is disqualified from holding the Chairmanship of any Committee of the Council and must not be appointed a Member of more than two such Committees or sub-Committees of the National Council.
- (e) An Honorary Member of the National Council appointed before 27 May 1990 and appointed Chairman of a Committee has the powers and obligations of an elected National Council Member in relation to the business of that Committee.

CO-OPTED MEMBERS

12. (a) The National Council has power to co-opt up to 8 persons for their specialist skills and experience, whether Members of the Legion or not, to serve as Members of the Council for as long as the Council may determine.
- (b) Co-opted Members of the National Council serve from the date of their appointment to the close of the next meeting of the Annual Conference after that date.
- (c) Co-opted Members may attend the meetings of the National Council but are not empowered to vote and cannot be held legally responsible for the Council's decisions.

APPOINTMENTS TO THE NATIONAL COUNCIL

13. (a) The Chairman and Vice-Chairman take up office at the close of the meeting of the Annual Conference immediately following the postal Ballot by which they were elected and serve until the close of the third next Annual Conference, unless their tenure of office ends differently. The President and General Treasurer hold Office in accordance with Rule 15.
 - (b) The Chairman, Vice-Chairman and elected Members of the National Council will be eligible for re-election.
14. National Vice-Presidents may be appointed by the National Council on the recommendation of the National President.
15. (a) The President shall be appointed by the National Council for a three year term.
 - (b) The General Treasurer shall be appointed by the National Council annually. The General Treasurer must be a member of an institution of accountancy incorporated by Royal Charter.

POWERS AND DUTIES OF THE NATIONAL COUNCIL

16. The National Council has the right to use all powers of the Legion except where the Charter or these Rules state that the Legion itself in Annual Conference is to exercise them.
17. Subject to the provisions of Regulations 67 and 69, the affairs of the Legion are to be managed and administered by the National Council. It is the duty of the National Council to decide all questions of policy and administration connected with the Legion, bearing in mind the recommendations if any of Annual Conference, and to determine any questions that fall outside the scope of these Rules.
18. The National Council is to meet for business as often as necessary in accordance with the procedures set out in the Governing Regulations.

The Governing Regulations set out the procedure for carrying out such business.

31. All decisions of the Annual Conference must be reached solely by the votes of the Branch delegates who are both present and voting.

FINANCE

32. The financial year of the Legion is from 1 October to 30 September, or such other dates as the National Council may determine from time to time.

33. The Legion must hold the following separate accounts for its funds:

- (a) two central accounts, known as
 - (i) the General Fund, for which the National Council is responsible, and
 - (ii) the Benevolent Fund, established for the purposes defined in the Objects of this Charter. The Benevolent Committee, established in accordance with the Governing Regulations, is responsible for this fund, under the supervision and control of the National Council;
- (b) an account for each of the County/District Conferences established by Annual Conference. In each case, this is known as the County/District Conference Fund and the County/District is responsible to the National Council for it;
- (c) an account for each Branch, known in each case as the Branch Fund. It must be spent on the purposes for which the funds were raised and is controlled by the jurisdiction of the National Council, which will delegate such powers of management of, and responsibility for the fund, as it thinks fit;
- (d) other accounts which the National Council may approve from time to time.

34. These assets are credited to the General Fund:

- (a) the affiliation fee that each Branch sends to the General Treasurer in accordance with Rule 37;
- (b) all lands, money, securities or other property acquired by the Legion;
- (c) all gifts of money or property of whatever kind whether from public or private subscription or other sources, which may come into the hands of the Legion, provided that the donors specified that their gifts should go to the General Fund;
- (d) all other money that the Legion receives as a result of its work in promoting and achieving its objects.

35. To the Benevolent Fund are credited:

- (a) except for the assets covered by Rule 34, all gifts of money or property of whatever kind, whether from public or private subscription or other source, which may come into the hands of the Legion and which the donors did not specify for the General Fund;
- (b) other money, land, securities or property at the discretion of the National Council.

36. The National Council may from time to time make Bye-laws, in accordance with the Charter and these Rules, governing the management of the Legion's financial affairs.

37. Each Branch must pay its affiliation fee annually to the General Treasurer. The affiliation fee is calculated by adding together a specified amount for each Ordinary member, each Associate Member and each Youth Associate Member. The Annual Conference determines these amounts from time to time, to take effect at the beginning of the Legion's next financial year.

38. The affiliation fee payable by the Branches of the Women's Section is determined by the Bye-laws of the Women's Section.

39. To each County/District Conference Fund is credited:

- (a) all money paid or donated to that County/District Conference specifically for its purposes and benefit;
- (b) all money raised by that County/District Conference specifically for its own purposes and benefit, provided the National Council gives prior approval to the method of fund-raising. The approval must be

THE SECOND SCHEDULE
THE GOVERNING REGULATIONS

DEFINITIONS

1. In these Governing Regulations, words and phrases defined or used in the Charter and the Rules have the meanings given to them here, unless otherwise specified or required.

Branch Welfare Committee: the sub-committee of the Branch Committee appointed by each Branch in accordance with Governing Regulation 38.

Chief Accountant: the person appointed to that office in accordance with Governing Regulation 72.

Secretary General: the person appointed to that office in accordance with Governing Regulation 72. References to the Secretary General include references to anyone authorised by him (or her) or the National Council to perform any of his functions.

2. For the purposes of the Charter, the Rules and these Governing Regulations, the following words and phrases should be interpreted thus:

Child: any child who is dependant, whether by being under age, in full-time education or mentally or physically disabled.

Dependants: children of a beneficiary, living with or in the care of a surviving spouse.

Spouse: may include a spouse divorced or separated from a beneficiary.

If there is any uncertainty in interpreting any of these expressions the interpretation will be as determined by the National Council, whose decision will be final and binding, but always subject to the jurisdiction of the courts.

ADMISSION TO MEMBERSHIP

3. (a) Every Member of the Legion must be a Member of at least one Branch.
- (b) Application for membership as an Ordinary, Associate or Youth Associate Member must be addressed to the Secretary of the Branch for the area where the applicant usually lives or the Branch which the applicant wishes to join. Every application must be supported by a proposer who must be an Ordinary or Life Member and must be in the form specified by the National Council.
- (c) The Branch Committee has full discretion over membership, but must not refuse it unreasonably. The Committee must record the reasons for rejection and submit them to the Regional Officer. The Secretary of the Branch must inform the applicant within 7 days whether his application has been accepted or rejected. Membership will date from the day the Branch Committee decides to admit the applicant. As soon as is possible after acceptance, new members must attend a meeting of their Branch, to be officially admitted into the Legion.
- (d) If the National Council later finds that someone was not eligible for Membership or was admitted to a category of membership in error, it may terminate the Membership at once or transfer the person to the correct category of membership.

REGISTER OF MEMBERS

4. (a) The Secretary General shall maintain a central Register of Members. Each Branch shall maintain a register of Members of that Branch and the Secretary of the Branch must notify the Secretary General immediately of any changes in the Branch register. The central and Branch registers must be available for inspection at reasonable times and on payment of a reasonable fee set by the National Council.
- (b) Members may, if they wish, transfer to another Branch that is willing to accept them. If they have paid all subscriptions due to their current Branch, they will not need to make any additional payment within that financial year. The Branch registers will be amended accordingly. The transfer must follow the procedure laid down by the National Council.

- acting as local account holder for the Central Benevolent Fund;
- providing help in training and technical advice for Branch Welfare Committees; and
- liaising with other welfare agencies in his (or her) area.

ORDER OF BUSINESS AT THE ANNUAL CONFERENCE

- At least 13 weeks beforehand, the Secretary General must receive notice of all motions to be discussed at the Annual Conference. In their content and drafting, these must comply with the Standing Orders. He (or she) must also receive notice of all candidates for nominations to offices to be made by the Annual Conference. That notice must be accompanied by a full curriculum vitae in the prescribed form, indicating the candidate's work for the promotion of the objects, and his professional qualifications, commercial knowledge and experience, with details of his responsibilities and authority.
- The Secretary General must arrange for all motions, nominations and accompanying descriptive statements and material relevant to the business to be printed and issued to the County/District Conferences and Branches at least 8 weeks before the date of the Annual Conference.
- The Annual Conference may consider any amendments proposed to these motions, provided they comply, in content and drafting, with the Standing Orders, and provided the Secretary General receives at least 5 weeks' notice of such amendments in writing.
- The Conference Committee has the power to accept or omit proposals, to vary or combine them, and to introduce proposals that have not gone through the stages specified in Regulations 10, 11 and 12. These will be included in the Final Agenda for the Annual Conference, which will be sent to Counties/Districts and Branches at least 10 days before the date of Annual Conference. The Standing Orders relating to the business of Annual Conference apply to all special conferences.
- A Branch may not nominate more candidates for any office than there are places to be filled, and no County/District Conference may nominate more candidates for membership of the National Council than there are places to be filled.
- No canvassing, either direct or indirect, for office shall be permitted except that a full Curriculum Vitae, as specified in Governing Regulation 10, of the candidates work and experience shall
 - for candidates for the National Council and the office of Chairman and Vice-Chairman, be circulated prior to or with the ballot papers for elections for those offices

and

 - for the Conference Committee be circulated in accordance with Governing Regulation 11.

COUNTIES AND DISTRICTS

- Each County will have a County Conference and County Committee, and each District will have a District Conference and District Committee. These Governing Regulations set out the constitution, functions and powers of the Conferences and Committees.
 - The Membership of each County/District Conference will consist of one representative from each Branch in that County/District with up to 300 Ordinary and Life Members in total, and 2 representatives from each Branch with over 300 Ordinary and Life Members in total. Only Branches that have paid their affiliation fee due up to the end of the previous financial year, and have submitted their receipts and payments accounts and Form MS1 by the preceding 31 March are entitled to be represented at a meeting of the County/District Conference.
- An Annual Meeting of the County/District Conference will be held at least once in every year, at least 17 weeks before the Annual Conference.
- In addition to the Annual Meeting, Special Meetings of the County/District Conference may be held at other times as necessary, to do business and to deal with general matters affecting the County/District.
- The Chairman of the County/District Conference will convene Special Meetings of the Conference on receiving a request signed by at least one quarter of the Branches in the County/District. A copy of the minutes of each meeting of a County/District Conference must be sent to the Secretary General.

ADMINISTRATION OF COUNTIES AND DISTRICTS

- The Officers of each County/District Conference are the President, Chairman and Vice-Chairman. They are elected at an Annual Meeting of such Conference to serve in each case for 3 years. This Regulation does not

30. A County/District Committee may authorise any person, whether or not a Member of the Legion, to visit any meeting of any Branch or Branch Committee in its County/District at any time on its behalf and to have access to all deeds, documents, books and accounts of this Branch.
31. If, in the opinion of a County/District Committee, a Branch has ceased to promote the objects through lack of Members, the Committee may recommend to the National Council that the Branch should be dissolved and removed from the Register of Branches, and may propose what to do about any remaining Members of the Branch and its finances. Proposals may include amalgamation with a neighbouring Branch.

ADMINISTRATION OF BRANCHES

32. Where necessary the geographical area of each Branch in England, Wales, Ireland and the Isle of Man will be defined by the County/District Committee of the County/District in which the Branch is located.
33. Every Branch in a County/District is under the control of the County/District Committee for that County/District. Branches overseas which do not come within a District come under the direct control of the National Council.
34. Within its allocated geographical area each Branch, in co-operation with the County Field Officer, is responsible for giving active support to the organisation of the Poppy Appeal and for all benevolent service work.
35. In every Branch, the Members eligible to vote must elect a President, a Chairman, a Vice-Chairman, an Honorary Treasurer and an Honorary Secretary and such other Honorary Officers as they find necessary to run the Branch.
36. Every Branch must have a Committee consisting of the Branch Officers specified in Regulation 35 and 7-12 other Members, elected by those Members eligible to vote. The duty of the Committee is to promote actively the objects within its geographical area, to oversee the affairs of the Branch in accordance with the objects and to carry out any direction it receives from the National Council or the County/District Committee. This Committee will meet at least quarterly.
37. Every Branch must hold regular meetings to carry out all Legion business. The Annual Meeting of the Branch must be held within 2 months of the close of the financial year. At this meeting the Officers and Committee Members for the ensuing year must be elected.
38. After its Annual Meeting, every Branch Committee must appoint a sub-Committee to be known as the Branch Welfare Committee, whose task will be to promote the objects. Each Branch Welfare Committee must submit a report on its actions to the Branch Committee for confirmation or otherwise, bearing in mind the beneficiaries' confidentiality. If confirmed, the proceedings of the Branch Welfare Committee will become the proceedings of the Branch Committee.
39.
 - (a) Every Branch must make Bye-laws, in accordance with the Charter and these Regulations, to regulate the affairs of the Branch. These Bye-laws will come into effect after they have been submitted to, and approved by, the County/District Committee for the County/District in which the Branch is located, or the National Council in the case of overseas Branches which do not fall within a District. However, if a County/District Committee refuses to approve a Branch Bye-law, the Branch is entitled to appeal against the refusal to the National Council, whose decision will be final. Such Bye-laws must be based on model Bye-laws approved by the National Council.
 - (b) Despite Regulations 35 to 39(a), any Branch in which the total membership is less than 25 may apply to the County/District Committee to adopt Minimum Regulation status. After proper inquiry the County/District Committee may recommend to the National Council that this status be granted to the Branch. Should the Council approve this status, the Branch may dispense with the requirements of Regulations 35, 36, 37, 38 and 39(a). However, the Members of the Branch eligible to vote must elect a Chairman, Secretary and Treasurer, appoint a Service Caseworker, and recommend a Poppy Appeal Officer. The whole Branch will comprise a Committee and must hold an Annual General Meeting within 2 months of the close of the financial year, at which it elects the officers for the ensuing year.
40. The Branch Committee is responsible for maintaining the Branch's Membership. It will ensure that any failure to renew membership is investigated and the reasons recorded in the Branch register.
41. Other duties, powers and privileges of Branches are as set out in these Regulations.
42. The National Council must maintain a register of Branches.
43. The prior permission of the National Council must be obtained to form a new Branch of the Legion.

54. Each Branch in England, Wales, Northern Ireland and the Republic of Ireland may nominate one person as a candidate for election to the National Council, in the year in which its Electoral Group is to hold an election. This person must be an Ordinary, Life or qualifying Associate Member of any Branch within that Region or District. Such nominations must reach the Secretary of the County/District, as appropriate, not later than 26 weeks before Annual Conference.
55. The Secretary of the County/District Conference must submit all such names to that Conference. By an election conducted by secret ballot or by other authorised means, the Conference must elect one of the nominees to be its candidate for election to the National Council. The candidate polling the highest number of votes cast by the Branch delegates present will be the County's National Council Nominee.
56. Each County/District Conference must send its Field Manager particulars, including a photograph and curriculum vitae, of the candidate nominated by that Conference for the election to the National Council. The Field Manager must circulate these particulars to the Secretaries of all Counties/Districts in that Region.
57. For the election., each County/District Committee must cast three votes. If they are not all cast, the vote or votes of that County/District will be void, except where there are fewer than 3 candidates. The firstly preferred candidate will be allocated three votes, the secondly preferred candidate will be allocated two votes and the thirdly preferred candidate will be allocated one vote. The Regional Officer must arrange for the votes of Counties/Districts to be cast by a postal ballot, or by other authorised means. The candidate polling the largest number of votes will be elected and the Regional Officer must notify the Secretary General of the Legion of the result. The Regional Officer must similarly notify the Secretary General of the name of the candidate polling the second largest number of votes; who will be known as the second preference candidate. The counting of votes must follow the method prescribed by the National Council.
58. If there is a tie, the election must be decided by lot.
59. The Secretary General must circulate to Branches within the prescribed period before the date of the Annual Conference, the particulars of candidates notified by Regional Officers as second preference candidates.
60. At the Annual Conference, an election must be held in the prescribed manner to elect one of the second preference candidates from the list circulated by the Secretary General. The candidate polling the highest number of votes cast by the Branch delegates will be elected to the National Council.
61. The Overseas District Member must be elected by the Overseas Branches of the Legion in accordance with the procedures laid down by the National Council. Nominations may only be made by Overseas Branches and nominees must be resident in Europe and a member of a branch in continental Europe. Each Overseas Branch must, not less than thirteen weeks before the date of the Annual Conference, nominate to the Secretary General one candidate for election to the National Council and must provide full particulars of that candidate, including a photograph and a curriculum vitae. The Secretary General must conduct an election in the prescribed manner, in which each Overseas Branch has one vote, to elect one of the candidates. The candidate polling the largest number of votes will be elected to membership of the National Council. If there is a tie, the outcome must be determined by lot.

PROCEEDINGS OF THE NATIONAL COUNCIL

62. The President does not have a vote at any meeting of the National Council.
63. The Chairman of the Legion or, in his (or her) absence, the Vice-Chairman must be the Chairman of the Council. If both are absent, the chair may be taken by any other Member of the Council elected by those present at the meeting and entitled to vote.
64. Any 8 Members of the National Council assembled at a meeting and entitled to vote at it form a quorum.
65. The Secretary General will attend meetings of the National Council, with other members of staff whom, from time to time, the Council may require.
66. The National Council may make such Bye-laws or Regulations for convening and conducting its meetings as it thinks fit, and may from time to time alter or revoke the Bye-laws and Regulations.
67. The National Council may appoint a Committee which will be known as the Management Board, consisting of the National Officers and 5 elected members of the National Council. The National Council shall delegate to the Board responsibility for the day-to-day operations of the Legion. It will set out the constitution, powers and procedures of the Board in Regulations, which will include giving the Board power to co-opt people, whether Members of the Legion or not, to serve as non-voting Members of the Board.
68. The National Council must appoint the Benevolent and Strategy Committee, which will be responsible, under the supervision and control of the National Council, for using funds for benevolent purposes and for co-ordinating all

79. Bye-laws made using the powers conferred by Regulation 78 must not conflict with the Charter and these Regulations.
80. The National Council may, after consulting the Central Committee of the Women's Section, alter, add to or revoke Bye-laws made under this Regulation from time to time.

EXAMINATION OF ACCOUNTS

81. The following accounts must be examined annually:
- (a) the General and Benevolent Accounts of the Legion and any other accounts that may be required to comply with Article 4 of the Charter, by an independent examiner;
 - (b) the accounts of each County/District Conference, by an independent examiner appointed by the County/District Committee, with the approval of the National Council;
 - (c) the accounts of each Branch, by an independent examiner appointed by the Branch Committee, subject to the approval of the National Council.
82. The accounts of each Branch must undergo an independent examination annually, not more than two months after the close of the relevant financial year, and at any other time that the Branch or its Committee require. In addition, if requested by the National Council, these accounts must be audited by a qualified auditor. The County/District Committee must appoint and pay the auditor, but will be reimbursed from the Branch Funds.
83. Any expenses incurred:
- (a) by a County/District Committee under Regulation 81(b) will be paid for by the County/District Committee Fund of that County; and
 - (b) by the National Council under Regulation 82 will be paid for by the Branch Fund in question.
84. The accounts of the County/District Conference or Branch, and the report of the independent examiner, must where practicable be kept clearly displayed at the County/District or Branch premises, where any Member may inspect them at any reasonable time.
85. Every County/District Committee must, within 3 months of the close of the Legion's financial year, or within 1 month after an audit, send the Secretary General a copy of the accounts of the relevant Conference, together with the report of the independent examiner or the qualified auditor.
86. Within 3 months after the close of its financial year, or within 1 month after an audit, every Branch must send a copy of its accounts to its County/District, together with the report of the independent examiner or the qualified auditor.

LIABILITY AND INDEMNITY

87. Unless the National Council has given specific instructions or delegated the authority to do so, a Member, or anyone representing any Conference, Council, Committee, Branch or sub-Branch, may not gain credit or incur any financial or other liability on behalf of the Legion or any Officer of the Legion.
88. No formation or person is authorised to use The Royal British Legion headed paper in a way that may mislead and give the recipient the wrong impression that they have a contract with The Royal British Legion. All correspondence will bear the formation's title and address in clear legible characters and the signatory will clearly state his name and position legibly and prominently.
89. No official or member of the Legion, except those appointed to paid positions, is legally entitled to claim payment for any services rendered on behalf of the Legion, unless in accordance with the terms of a contract signed by the Chairman and Secretary General of the Legion, or individuals to whom they have specifically delegated this power.
90. A former Member of the Legion may not claim back the subscriptions or other money he (or she) has paid to the Legion except as a loan.

MANAGEMENT OF INVESTMENTS

91. (a) In this and the following Regulation, investment expert means:
- (i) an individual with at least 15 years' experience of investment or financial management who is an authorised person within the meaning of the Financial Services Act 1986; or

DISCIPLINE

COUNTIES/DISTRICTS

94. (a) If in the opinion of the National Council the Officers and Members of a County/District Committee are not upholding the objects of the Legion or not carrying out instructions issued by the National Council, the Secretary General must write to the County/District Secretary calling for an explanation.
- (b) The letter will instruct the County/District Secretary to summon a Special General Meeting of the County/District Committee to be held within 21 days of receiving the letter.
- (c) The Secretary General must receive the date of the Meeting at least 7 days before it is due. The National Council must appoint an appropriate independent person or body to attend the Meeting. He will conduct a proper enquiry and will examine the administration of the Officers and Members of the County/District Committee, consider any explanation they offer, and report his findings to the National Council.
- (d) On receiving the independent report, the National Council may, after proper consideration, take appropriate action, which may include removing any or all of the Officers and Members of the County/District Committee.
- (e) There will be no appeal against the National Council's decision, which will be final and binding.

BRANCHES

95. (a) A Branch is liable to be dissolved and removed from the Register of Branches if it:
- (i) fails to comply with its obligations under the Charter, Rules or Governing Regulations; or
 - (ii) fails to comply, within a specified time, with a written instruction issued to it by the National Council or the County/District Committee; or
 - (iii) engages in activities of any kind which are inconsistent with the objects of the Legion.
- (b) If it appears to the National Council that a Branch may be liable to be dissolved in accordance with Regulation 95(a), then the National Council may suspend the Branch until the matter has been decided under these Regulations.
- (c) If it appears to a County/District Committee that a Branch may be liable to be dissolved in accordance with Regulation 95(a), that County/District Committee must immediately notify the National Council and, in doing so, may recommend the dissolution of such Branch. At the same time it may suspend the Branch in question for not more than 3 months.
- (d) While a Branch is suspended, the National Council, or those appointed by the National Council, will undertake its functions and duties and those of its officers, except for the purposes of the following sub-Regulations.
- (e) When notified by a County/District Committee or informed by any other source that a Branch may be liable to be dissolved, the National Council must instruct the Secretary General to write to the Secretary of the Branch in question listing the allegations, asking for an explanation and telling it to comply with its obligations. The Secretary General will also instruct the Branch Secretary to summon a Special General Meeting of the Branch to be held within 21 days of receiving the letter.
- (f) The Branch Secretary must give the Secretary General 7 days' notice in writing of the Special General Meeting, and a representative of the National Council must attend the meeting.
- (g) Following the date of the Special General Meeting or after the 21-day period specified in Regulation 95(e) the National Council will, as soon as convenient, consider the allegations, and any explanation offered by the Branch, either in writing or in the course of the Special General Meeting, and will decide whether or not to dissolve the Branch. If the National Council decides to dissolve a Branch, it will at the same time give directions on how to deal with the membership of the individual members of that Branch. As to the money and property, if any, administered by the Branch, it will form part of the Legion's Central Fund. Branch Members will, however, continue their Membership of the Legion and will retain the rights and privileges that go with it if they qualify through being Members of another Branch. The Secretary General will immediately inform the Branch Secretary of the National Council's decision and directions.

- (j) The National Council may itself suspend or expel any member after holding a proper enquiry as it thinks fit. Its decision is final.

RESTORATION OF MEMBERSHIP

98. After 5 years, a person who has been expelled from Membership may apply in writing to a Branch Committee for his (or her) Membership to be restored. The Branch Committee will consider this at a meeting, and if it decides by resolution to support the application it will inform the County/District Committee. After consulting the Branch Committee that originally supported the expulsion of the applicant, the County/District Committee will recommend to the National Council that the application for restoration be accepted or refused. The decision of the National Council will be final.

DISQUALIFICATION FOR OFFICE

99. No official or employee of the Legion or any of its component bodies who receives annual payments of £500 or more for his (or her) services, out of either the national or other funds of the Legion or its component bodies, is eligible for membership of the National Council. Nor may he or she hold office within the Legion at National or County/District level except that he or she may attend as a Branch or County/District delegate at Group County/District and National Conferences. In this context, component bodies include all formations of the Legion, including Related Companies but excluding Royal British Legion Clubs. Payments include honoraria – token payments for services – but do not include the reimbursement of reasonable out-of-pocket expenses incurred on Legion business.

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