



**R S L N S W**

Respecting, supporting and remembering  
our veterans and their families

# Standard Operating Procedure 5

## Responsibilities and Duties of sub-Branch Executives, Committee Members and Trustees

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## 1. Purpose

This Standard Operating Procedure (**SOP**) sets out the roles, responsibilities, powers and duties of persons governing sub-Branches. In the case of sub-Branches which are incorporated, this SOP must be read in conjunction with the sub-Branch model constitution.

Unless otherwise stated, capitalised terms used in this SOP have the meaning set out in Appendix A of the Constitution.

## 2. sub-Branch Executives

The sub-Branch Executives comprise:

- a) one President (who must be a Service Member);
- b) up to two Vice Presidents (who must be Service Members);
- c) a Secretary; and
- d) a Treasurer.

The minimum requirement for the composition of the sub-Branch Executive body is set out in clause 15.4 of the Constitution. No one person may hold at any one time more than one of the positions of President, Vice President, Treasurer or Secretary (unless the sub-Branch approves the appointment of one person to be appointed as both Treasurer and Secretary).

Sub-Branch Executive appointments are to be made by election in accordance with the Constitution and the Election Procedures SOP. Sub-Branch Executives hold office for the period set out in clauses 15.11 – 15.13 of the Constitution.

## 3. sub-Branch Committees

A sub-Branch may form sub-Branch committees and elect committee members including:

- a) Welfare and Pensions Officer;
- b) Membership Officer; and
- c) Assets Officer.

In this SOP, these appointments will be referred to as sub-Branch committee appointments. sub-Branch Committees must be formed in accordance with clause 15.14 of the Constitution. Members of sub-Branch Committees hold office in the same way as a member of the sub-Branch Executive set out in clause 15.11 – 15.13 of the Constitution.

## 4. Trustees

### 4.1. General

Trustees must hold sub-Branch assets on trust for the sub-Branch in accordance with the Constitution, any applicable deeds of appointment and the obligations they hold as Trustees at law. Trustees are appointed in accordance with clause 16.2 of the Constitution.

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Trustees have specific duties at common law and under the Trustee Act 1925 (NSW). The terms and parameters of their role and specific obligations are set out in their Deeds of Appointment and clauses 16.12 – 16.22 of the Constitution.

## 4.2. Trustees – Performance of Obligations

In performing their Trustee obligations, Trustees:

- a) may attend sub-Branch Executive meetings;
- b) must report periodically to the sub-Branch Executives on matters affecting their trusteeship and sub-Branch Property held on trust;
- c) may make enquiries as are necessary and relevant to matters affecting their trusteeship as they see fit to enable them to properly carry out their legal duties and obligations as trustees;
- d) must take all steps to ensure that they are properly and fully informed to exercise their powers, functions and discretions;
- e) must ensure that Trust Deeds are prepared and registered in a timely manner; and
- f) must act in accordance with any resolution, instruction or direction of the sub-Branch members;
- g) must ensure that a detailed handover is performed to their successor when they cease holding office.

## 5. Duties and Responsibilities

### 5.1. General

sub-Branch Executives and Committee Members must fulfil their responsibilities in accordance with the non-exhaustive list of duties and responsibilities set out below. Sub-Branches may add additional duties if they so decide. Specifically:

- a) the role and responsibilities of the President are set out in paragraph 5.2;
- b) the role and responsibilities of the Vice President are set out in paragraph 5.3;
- c) the role and responsibilities of the Secretary are set out in paragraph 5.4;
- d) the role and responsibilities of the Treasurer are set out in paragraph 5.5;
- e) the roles and responsibilities of the common sub-Branch Committee member positions are set out in paragraph 5.6.

They must also act in accordance with the Constitution and the associated SOPs. All officeholders of a sub-Branch must ensure that they perform their roles in such a way that ensures that they and their sub-Branch meet the requirements of the Governance Standards prescribed in the *Australian Charities and Not-for-profits Commission Act 2012* (Cth). They must also ensure that fundraising activity is conducted in accordance with applicable legislation for example, for NSW fundraising activity, the *Charitable Fundraising Act 1991* (NSW).

All officeholders must ensure that a detailed handover is performed to their successor when they cease holding office.

### 5.2. Duties and Responsibilities of the President

The President is the most senior executive officer of the sub-Branch. In addition to the duties and obligations set out above, the President is responsible for:

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- a) the successful corporate governance of the sub-Branch;
  - b) ensuring that any Trustees are kept informed of anything that may affect their ability to fulfil their duties;
  - c) ensuring that declarations of conflict of interest is a standing item on the agenda of all sub-Branch meetings and that conflicts of interests are appropriately managed and recorded;
  - d) the leadership, forward planning, strategy and continual improvement of the sub-Branch;
  - e) close supervision of other executive and committee members;
  - f) ensuring that any complaints of management irregularities of the sub-Branch are promptly investigated (by an independent and qualified person) and corrective action is taken immediately the results of the investigation are known;
  - g) representing the sub-Branch at functions, ceremonies and other activities;
  - h) acting as Principal Host or Hostess at sub-Branch functions, ceremonies or activities;
  - i) proposing the Loyal Toast at dinners (in the absence of the toast being delegated to another Member);
  - j) chairing meetings of the sub-Branch including Committee, monthly and Annual General Meetings;
  - k) acting subject to instructions, on behalf of the sub-Branch and its committee in the interval between meetings;
  - l) performing any other duties that may be assigned expressly in writing from time to time by RSL NSW and/or District Council; and
  - m) ensure that sub-Branches have financial management practices in place to ensure that a sub-Branch's resources are used effectively, to ensure the sub-Branch is in a position to meet its debts when they fall due and that its assets are protected from misuse when sub-Branches receive donations from the public, government funding and taxation concessions or exemptions.

The President must be a co-signatory to sub-Branch bank accounts. He or she may only delegate their duties in case of illness or by reason of their being on leave and such delegation must be in writing.

### 5.3. Duties and Responsibilities of the Vice President(s)

The Vice President must undertake the following duties and responsibilities:

- a) understudy the President and be prepared to act in the President's place should the need arise;
- b) assist the President with the conduct of his/her duties and responsibilities and maintain a thorough understanding of the President's duties and responsibilities;
- c) assist the other executive or committee members with their duties as directed by the President, executive or a meeting; and
- d) any other duties assigned to them by the President or executive.

### 5.4. Duties and Responsibilities of the Secretary

The Secretary is responsible for the effective administration of the sub-Branch and in doing so must perform the following duties and responsibilities:

- a) organise the conduct of all meetings;
- b) collate and publish meeting minutes and actions;
- c) collect and distribute mail;

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- d) maintain the copies of the Constitution and SOPs and any other publications used in the conduct of sub-Branch business;
  - e) maintain standard forms and documents for use by the members;
  - f) maintain the sub-Branch Member roll and personal particulars;
  - g) hold the sub-Branch post office box key;
  - h) maintain correspondence in and out and submit to meetings as required;
  - i) security of the buildings, office space and assets owned by the sub-Branch or other subsidiary;
  - j) issuing keys and maintenance of the key register;
  - k) account for the expenditure of petty cash, if applicable;
  - l) maintain the register of assets and ensuring that a 10% check of assets is conducted monthly prior to the monthly meeting and discrepancies are brought to the notice of the meeting;
  - m) purchase, security and issue of receipt books;
  - n) report immediately, to the President, any known or suspected management irregularities;
  - o) compile and dispatch Annual Returns to RSL NSW by the due date each year;
  - p) ensure that capitation and affiliation fees are paid by the due date each year;
  - q) efficiently manage records management of the sub-Branch, Auxiliary, Youth Club, Chapter or other subsidiary;
  - r) bringing to the notice of the executive those members who meet the criteria for awards in accordance with the SOPs;
  - s) notify RSL NSW immediately of the death of a member, change of address or transfer to another sub-Branch;
  - t) ensure that 'Working with Children' and other due diligence checks are carried out on all adults involved in fundraising, where it includes children, Youth Club activities etc;
  - u) ensure that appropriate backups are made of all computerised records and stored in a secure location;
  - v) perform any other duties assigned to them by the President or sub-Branch Executive.

The Secretary is also the co-signatory of banking accounts.

## 5.5. Duties and Responsibilities of the Treasurer

The Treasurer is responsible for overseeing the effective financial management of the sub-Branch and in doing so must perform the following duties and responsibilities:

- a) properly keep all books of account and accounting documents;
- b) receipt, safe custody, banking and disbursement of all sub-Branch or other subsidiary monies, including cheques, money orders etc.;
- c) prompt issue of receipts;
- d) security and safe keeping of all accounting documents and the cheque book(s) in their care;
- e) preparation and presentation to meetings of up to date periodical financial report and accounts for payment;
- f) preparation of accounts for Members, their distribution and subsequent advice to the executive of unpaid accounts by the date prescribed for payment;
- g) reconcile bank statements at regular intervals;

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- h) pay accounts and reimburse expenses in accordance with the minutes of meetings;
  - i) send out and if necessary, follow up accounts for monies due to the sub-Branch;
  - j) prepare Business Activity Statements;
  - k) ensure that if a Charitable Fundraising Authority (CFA) is held, records are properly maintained and comply with the CFA;
  - l) ensure that an appropriate audit trail exists for all entries in the books of account of the sub-Branch or any subsidiary;
  - m) prepare the books of account for audit or review if required by ACNC;
  - n) compile annual financial reports;
  - o) provide Trustees with all financial reports, records or documents required by them in the performance of their duties;
  - p) in conjunction with the other sub-Branch executive members, prepare the annual sub-Branch budget for presentation to sub-Branch General Meeting and submitted to ANZAC House;
  - q) ensure that appropriate backups of all computerised accounting records are made and stored in a secure location; and
  - r) other duties assigned by the President, executive or as a result of meetings.

The Treasurer is also the co-signatory of all sub-Branch banking accounts.

## 5.6. Duties and Responsibilities of Common Committee Appointments

### 5.6.1. Welfare/Pensions Officer

The duties and responsibilities of a Welfare/Pension Officer are to:

- a) provide welfare services to veterans and their families (including members) in accordance with the Charitable Purpose in the Constitution;
- b) have the interests of members, veterans and their families to whom welfare services are being provided at heart, not their own agenda;
- c) properly advise and inform any veteran (or family member) to whom welfare assistance is being provided, of all relevant facts so that they are able to make an informed decision regarding any welfare claim (for example claims lodged with the DVA);
- d) be aware of their obligations to keep information they receive in their role confidential and any other obligations they may have under privacy legislation;
- e) take time to plan meetings with members, and veterans and/ or their family members;
- f) be honest and sympathetic in dealings with members, veterans and/or his/her family;
- g) listen and prompt any person to whom assistance is being given for further information;
- h) ensure they do not give any financial advice, i.e. on financial matters, nor give assurances that they cannot keep; and
- i) only provide information and advice on those matters for which they have received appropriate and current training.

### 5.6.2. Membership Officer

The duties and responsibilities of a Membership Officer are to:

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- a) know the classifications of membership and who is entitled to join RSL NSW;
  - b) actively promote the League and RSL NSW membership;
  - c) plan recruiting activities at significant events and yearly recruiting targets (once ratified at the sub-Branch's AGM, this plan is to be forwarded to the District Council);
  - d) target potential new members, retention of existing members and regaining former members;
  - e) forecast the yearly costs of recruiting and present these at the AGM for ratification;
  - f) maintain a close relationship with ADF units in the membership catchment area;
  - g) engage local media in recruiting efforts as appropriate;
  - h) to ensure, with the Secretary, that new members are welcomed to the sub-Branch; and
  - i) manage and control the membership records in accordance with the requirements of the Membership SOP and the systems provided for membership management by RSL NSW from time to time.

### 5.6.3. Assets Officer

The duties and responsibilities of an Assets Officer are to:

- a) maintain the assets register;
- b) bring items to charge on the assets register as they are purchased or donated;
- c) ensure folios in the assets register are complete and sequentially numbered;
- d) write off or auction/tender items (that are still functional) no longer required by the sub-Branch or other subsidiary;
- e) ensure all assets so written off or auctioned/tendered are removed from the sub-Branch or other subsidiary property as soon as possible;
- f) as at 30 November each calendar year, revalue assets in accordance with the direction given at the October meeting and in accordance with the applicable accounting standards from time to time;
- g) present the new value of all assets to the December monthly meeting;
- h) be responsible for monthly spot checks of assets (in conjunction with the Secretary); and
- i) be responsible for the security of sub-Branch assets (in conjunction with the Secretary).

## 6. Definitions

Unless otherwise stated, capitalised terms used in this SOP have the meaning set out in Appendix A of the Constitution.

**Sub-Branch General Meeting** means a sub-Branch general meeting and includes annual and general meetings.

## 7. References & Resources

### Legislation, standards, etc.

*Australian Charities and Not-for-Profits Commission Act 2012* (Cth)

*Charities Act 2013* (Cth)

*Trustee Act 1925* (NSW)

*Charitable Fundraising Act 1991* (NSW)