

BY-LAWS OF UNIT 76 KVA



**SGT TOMMY PRINCE MM
MEMORIAL UNIT 76 KVA
WINNIPEG, MANITOBA**

KVA Sgt Tommy Prince MM Memorial Unit #76

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Please Note: These are the by-laws that have been written up over the years with policies taken from KVA, CAVUNP and other Associations but do not supercede KVA National By-laws. They were forwarded in October 2005 via email to Bert Stubbington, Vice President Prairie Region and he will forward a hard copy to the Prairie Region President. A copy has also been forwarded to Jim Holland for his perusal and recommendations.

These by-laws will be discussed and voted on at the Unit 76 meeting in January 2006. Any recommendations or changes to be implemented as policy will take place at that time.

Passed at General Meeting _____
Date

Signature of By – Laws Chairman

Signature of President

BY-LAWS

Sgt Tommy PRINCE MM Memorial Unit 76, Winnipeg

These By-Laws are set forth to outline and expand upon the General By-Laws of the Association, as detailed, at the time of the incorporation and any amendments heron after duly enacted thereto

The fiscal year of the Sgt Tommy PRINCE MM Memorial Unit 76 of the Korea Veterans Association is the calendar year, ending December 31

ARTICLE 1 NAME

1.01 This Unit shall be known and designated as The Sgt Tommy PRINCE MM Memorial Unit 76 of the Korea Veterans Association. Please be advised that the KVA National By-Laws shall take precedence over the By-Laws of Unit 76 of the Korea Veterans Association.

1.02 The Unit 76 of the Korea Veterans Association is situated in the City of Winnipeg, within the boundaries of the Province of Manitoba, in the Prairie Region of the Association, as incorporated as a Canadian Unit of the Association and identified in the Association's By-Laws.

ARTICLE 2 GENERAL MEETING JURISDICTION

2.01 The General Meeting of the Unit shall be the organization for the carrying out of its activities in connection with the welfare of ex-service men and women, and the social and comradeship of the Unit and for the advancement of the aims and objects of the Unit within the limits of, and subject to, the Act of Incorporation of the general By-Laws of the Korea Veterans Association of Canada National By-Laws.

1. A regular General meeting shall be held on the first Wednesday (Subject to change) of each month except July, August and December.
2. Elections of Officers shall take place at the November meeting.
3. The executive Committee shall meet at the call of the chairman.

2.02 OPENING OF MEETING - At the hour appointed, the president shall call the meeting to order and preside. In the absence or disability of the President, if there is no Vice President present, the recording secretary calls the meeting to order and presides, pending the election of a temporary presiding officer.

2.03 QUORUM - At the meeting of the Unit, whether special or general, the quorum shall be notwithstanding the majority vote of the members present providing that the membership was given at least 10 days notice of the meeting.

2.04 INITIATION - every member whenever possible should be initiated at a general meeting or a special meeting called upon for this purpose. Membership cards should be handed out at a general meeting and the new member welcomed by the general body. In the case of new membership the secretary or other official authorized for that purpose will issue a receipt for the money received for membership.

2.05 ORDER OF BUSINESS - The following shall be the order of business. (The Chairman has the privilege of changing these according to conditions appropriate at the time.):

1. Call to order by the Chairman.
2. Opening Ceremony.
3. Ensure all members have signed in.
4. Introduction of Special guests in attendance
5. Minutes of last General and Executive Meetings.
6. Financial Report.
7. Correspondence.
8. Report of Special Committees.
9. New Business and Welfare of the Chapter.
10. Old Business

11. Adjournment and Closing Ceremony.

2.06 NOMINATION AND ELECTION OF OFFICERS

1. Nomination forms will be either passed out to members or mailed out to members in order that all members may exercise their right to nominate a member of their choice for Executive Officer of Unit 76. This will be done at least 1 month prior to elections, filled out signed and returned to nomination Chairman for the committee to either accept or reject. Nomination for the officers and executive members for the ensuing term, shall be received prior to the general election at the Nov General Meeting. Those nominated are allowed to decline or allow their names to stand for election at this meeting. Nominees must be in attendance, or have a letter submitted to the Unit indicating his or her acceptance of the nomination, at the meeting when nominated. Those wishing to decline must be in attendance or decline by letter. The letter can be accepted by the Nomination Chairman
2. Members eligible to hold office may be nominated for all positions and if elected the member's name shall be dropped from all junior positions to which he/she had been elected.
3. A member is required to hold membership in the Unit for a period of one full year immediately preceding the election and to have attended at least 50% of the monthly meetings preceding the election, to be eligible for election to the Unit Executive. (Not required if starting up a new Unit.
4. Positions in order of seniority are as follows: President, 1st Vice President, Secretary and Treasurer, Immediate Past President and then Executive Members (If required).
5. An executive member shall be allowed to let his or her name stand for an officer's position without relinquishing his or her position as an executive member. If elected, his or her position as an executive member will be awarded following election procedures covered by these bylaws.
6. An officer shall be allowed to let his or her name stand for a senior officer's position as defined in Article 2.06 Para 3 without relinquishing his or her junior position. If elected, the vacated officer's position to be awarded following election procedures covered by these bylaws.
7. The president shall appoint an elections chairman and scrutinizer to preside over the elections.
8. Officers and Executives will be elected on the basis of the person with the largest number of votes declared elected.
9. When a ballot is being distributed, the doors will be tiled and no person shall be allowed into the meeting. Once ballots are collected, members shall be allowed entrance and to participate in subsequent ballots. This to apply also in the case of tie votes necessitating further ballots on the same position.
10. Every ordinary member in good standing is entitled to vote. If more than two candidates are nominated for one office the name of the candidate receiving the least number of votes shall be dropped on each succeeding ballot until two names remain, unless on any ballot one candidate received a majority of votes cast, then he shall be declared elected to that office.
11. Unit officers and members of the executive shall take office and assume their duties and functions, on the first day of the New Year and shall be installed, in accordance with the ritual on or before that date.
12. All officers and members of the executive committee shall be elected for a two year term.

**ARTICLE 3
OFFICERS AND EXECUTIVES:**

3.01 Officers shall be elected by ballot bi-annually and the Unit executive shall consist of a President, 1st Vice President, Secretary, Treasurer, the Past President, and such officers and executive members as the Unit Membership may from time to time determine.

In recognition of the fact that any Unit can have only one President and all other affiliates, groups, social organizations, sports clubs, etc., under the banner of Unit 76 KVA shall govern themselves according to these By-Laws and to the General By-Laws of KVA National.

3.02 The executive at their first meeting following the January General Meeting shall appoint a Chaplain, Sergeant-at-arms and such other committees and appointments as may be required.

3.03 Auditors who shall constitute the audit committee shall be appointed at the November Executive meeting for the ensuing year and they shall audit the books of the Unit at least once a year, but no member of the Executive committee or a salaried officer of the branch shall be eligible for such appointment.

3.04 Vacancies Officer's Position and Executive Committee.

1. 1st Vice President will fill the vacancy of President for the remainder of the term of office.
2. The office of the 1st Vice President shall be filled at the first general meeting following the general meeting at which the vacancy was announced. Nominations shall be taken from the floor of this meeting and an immediate election shall be held by secret ballot-the person with the largest number of votes will be declared elected.
3. Any vacancy on the executive committee occurring during the year, shall be filled by election following this procedure: "An executive member shall be allowed to let his or her name stand for an officer's position without relinquishing his or her position as an executive member."
4. Positions in order of seniority are as follows: President 1st Vice President Secretary, Treasurer, Immediate Past President and then executive members if required.

3.05 Absentee Executive Officers: Should any member of the executive Committee be absent without notice from three consecutive meetings of either the Executive Committee or the Unit without cause or satisfactory excuse, such member shall automatically cease to hold office. Such member's place on the Executive Committee shall be filled by election following the procedure described in these by-laws. A record of the attendance of all Executive Officers at meetings both Executive and General shall be reported at the November General Meeting

ARTICLE 4 DUTIES OF OFFICERS

4.01 President - The President shall preside at all General Meetings and enforce order and strict observance of the By-Laws. He shall exercise a general supervision and control over the officers and business of the Unit and shall call meetings of the Executive Committee, when he considers it advisable.

4.02 Vice-President - In the absence or disability of the President, all the rights and powers vested in the President shall, for the time being, be vested in the 1st Vice President. In the absence or disability of both the President and 1st Vice President the Secretary shall postpone meetings until such time as the President or Vice- President is available

4.03 The officers shall constitute the Finance Committee with the President or another Officer appointed or another Officer appointed by the President to act as chairman.

ARTICLE 5 STANDING COMMITTEE

5.01 The chairman of the standing committees of the Unit shall be appointed by the Executive except as otherwise provided, and from the elected Executive members as otherwise provided. Such Committees are as follows:

1. Finance (see Article 4.03)
2. Entertainment
3. Sports
4. Membership
5. Resolutions and By-Laws
6. Publicity
7. Service Officer
8. Hospital Sick and Visiting
9. Special Events
10. Special Projects
11. Sgt-At-Arms
12. Honors and Awards

*Appointments may be made by the Executive of a member who is NOT an executive member. The chairman is expected to attend all executive meetings to report and can take part in discussions but has no right to vote.

**ARTICLE 6
DUTIES OF COMMITTEES**

6.01 Finance - This committee shall keep itself informed as to the financial standing of the Unit. It shall scrutinize the monthly accounts and make such recommendation in regard to expenditures for the welfare and comfort of the members of the Unit. It shall also recommend the annual dues for membership.

6.02 Entertainment and Social - This committee shall have charge of all regular established dance programs special events to raise funds. The chairman of this committee shall also act as co-chairman of the special events committee.

6.03 Sports - This committee shall endeavor to create an interest in all kinds of indoor and outdoor sports amongst the members.

6.04 Membership - This committee shall endeavor to get in touch with ex-service men and women and other eligible veterans with a view to obtaining their application for membership. It shall review all applications for membership and report on same to the Executive Committee and to the General Meeting of the Unit. The chairman shall assist the Sgt-at-Arms presenting the candidates for initiation. (Depending upon the size of our membership and the need for an initiation program)

6.05 Resolutions and By-Laws - This committee shall draw up suitable By-Laws and rules for the Unit and make recommendations or any necessary amendments required, subject to the National By-Laws of KVA.

6.06 Publicity - This committee shall be responsible for all publicity pertaining to the proceedings and activities of the Unit.

6.07 Service Officer - This committee shall be for the purpose of considering the difficulties which members on pension are facing and acting thereon, and also for the purpose of assisting veterans in becoming rehabilitated to civilian life, and passing on to Regional and National for attention, such cases as merit immediate attention, and also deal with the righting of injustice to the widows and dependents of veterans.

6.08 Sick and Visiting - This committee shall visit sick comrades in their homes or in hospital and other institutions. They shall assist in every way possible to promote their well-being and co-operate with all other organizations that the member may be involved in. The Chaplain should be informed of any person that is sick at home, the hospital or has become deceased.

6.09 Honours and Awards Committee - This committee shall be composed of the President and all Past Presidents with the immediate past president acting as chairman. This committee shall receive and consider requests for the honouring of fellow veterans who in the past have worked for or have furthered the KVA cause in this Unit. Such Honours are for exceptional and outstanding performance of duties to KVA above that which is expected of one's membership. All awards being presented for consideration to the general meeting by this committee or an individual member must be accompanied by a written citation before any consideration of such an award can be entertained.

All awards must be voted on individually and if the member being considered for such an award is present, he or she must leave the meeting until a decision is reached.

6.10 Special Events - This committee shall have charge of all other entertainment in the Unit and the chairman of this committee shall be responsible to the Entertainment Committee.

6.11 Special Projects - This committee will receive and report to the executive requests for financial donations from organizations outside of our jurisdiction, with their recommendations to the general meeting.

6.12 Sergeant-at-Arms shall attend all general and special meetings and shall have charge of the meeting place under the direction of the Presiding Officer. He shall arrange details of all parades and take charge of it. He shall be in charge of candidates for initiation assisted by the membership committee chairman. He shall be the custodian of the Colours. He shall act generally under the supervision of the President and have the power to select committees to assist him as the occasion requires and to appoint his Deputy Sergeant-at-Arms. The Deputy Sergeant-at-Arms will assist the Sergeant-at-Arms and in his absence assume all duties responsibilities of the office.

6.13 Public Relations - Shall act as Public Relations Officer for the Unit in dispensing of material to the media. He will be responsible to the President for any and all releases of information out of the Unit of KVA.

**ARTICLE 7
EXECUTIVE COMMITTEE POWERS**

7.01 The Executive Committee shall have full jurisdiction over the Unit affairs when the Unit is not in session save as otherwise provided by the General By-Laws of the National KVA.

7.02 The general membership shall vote in a Secretary and Treasurer or a Secretary-Treasurer whose duties shall be:

1. have the authority to certify as to authenticity of chapter documents; attend to correspondence, maintain membership records, and do all such other clerical work as the executive committee may determine;
2. to keep an accurate account of all monies received and disbursed; shall cause to be deposited Unit funds in a chartered bank to be determined by the executive committee, and at times established by the Officers. This account to be kept in the name of the Unit, and from time to time, to open and close out accounts which are necessary for carrying out the financial activities of the Unit.

7.03 All cheques issued by the Unit shall be signed by such officers or members as the Executive Committee may authorize for that purpose. All cheques must have two authorized signatures.

7.04 The treasurer may with a majority vote of the executive committee agree to a payment or commitment to pay up to and including \$200.00 and report it to the executive as information for audit purposes only. Expenditures of these amounts recommended by the executive to the general meeting will be subject to debate and motions, but if none received will be considered adopted on the motion to accept the executive minutes. Motions from the floor on expenditures of those amounts will be subject to a majority vote of the members present. Above applicable present, except as provided for in Clause 6 of this section.

7.05 All expenditures over \$200.00 shall not be undertaken until the full details have been studied by the Executive Committee and a report submitted there on to a Regular or Special meeting of the Unit; and then endorsed by a majority of the members present except as provided in Clause 6 of this section.

7.06 The provisions contained in clause 4 and 5 shall not apply to funds raised directly from their own members for special events such as trips social events and placed in the Unit general funds shall be held solely for that event. If that event is changed or cancelled then must go to the general body for approval.

7.07 Representatives to Conventions or Annual Conferences the number attending and expenditures necessitated by same to be subject to the provisions of section 7 item (6) and to be submitted to a General or Special Meeting at least two months before Convention or conference dates. The representative to the Convention or conference will be the Unit President. In the event the President is unable to attend, he will be replaced by a member in good standing as decided by the general body. In the event that no one is able to attend the Convention or Conference meeting, the Unit will nominate a member who will, with his written permission, allow his name to stand for nomination to an executive position.

Conventions are to be held every 2 years. (even years) Regional Conferences are held on the alternate year.

**ARTICLE 8
COMMITTEE REPORTS**

Standing Committees shall report to the executive and all recommendations and motions arising there from shall be reported in the Executive Minutes at the General Meeting.

**ARTICLE 9
APPOINTMENT OF SUB-COMMITTEES**

The Executive Committee may from time to time appoint from among their numbers such sub-committees as they deem necessary or expedient and may depute or refer to them such of the powers and duties of the committee shall periodically report their proceedings to the Executive Committee and these By-laws and rules of procedure for Unit meetings.

**ARTICLE 10
VOTING**

10.01 Every voting member in good standing is entitled to vote regardless of the subject matter of the motion. Honorary Members are not entitled to vote.

10.02 Voting at Meetings - The presiding officers shall, when debate has ceased on any question, put the same to an open vote, giving the words of any motion or resolution clearly, so that no member may misunderstand the question on which he is about to vote. In the event, however, of a two-thirds majority of the members present demanding a secret ballot on any particular question, such question shall be decided by a secret ballot.

**ARTICLE 11
RULES OF PROCEDURE**

11.01 Members shall not hold private discussions during the meeting or talk on any subject in an unseemly manner. In matters not provided for in these by-laws, all meetings shall be conducted on parliamentary lines and the rules of procedure for Unit meetings.

11.02 When a question is before the meeting no motions shall be in order except:

1. to postpone indefinitely;
2. to amend;
3. to commit and refer;
4. to postpone to a certain time;
5. to previous question;
6. to lay on the table;
7. to adjourn;

and shall have precedence in the order stated

- Nos. 2, 3 and 4 may be amended;
- Nos. 1, 5, 6 and 7 cannot be amended
- No 5 requires two-thirds majority;
- Nos 5, 6 and 7 not debatable.

11.03 Two-Thirds Majority Vote of Members Voting - 39 members vote when the motion is put, it would require 26 affirmative votes to carry.

11.04 Majority of Members Voting - If 40 members vote when the motion is put, it would require 21 affirmative votes to carry.

11.05 At all meetings where a vote may be required, the Sergeant-at-Arms shall list separately voting and non-voting members. Note Honourary members are not entitled to a vote.

11.06 The rules contained in the current edition of Robert's Rules of Order (newly revised) shall govern the Unit in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Unit may adopt.

**ARTICLE 12
SPECIAL BUSINESS**

When there has been a notice sent to members specifying the business of a meeting or where notice of motion has been given at a previous meeting, the business of which notice has been given shall have the right of way and be dealt with immediately after submission of General and Executive minutes.

**ARTICLE 13
NEW BUSINESS**

When business arises of which no advance notice has been given, the presiding officer may, if he considers it is in the best interest of the Unit, adjourn to the next meeting the debate of such question.

**ARTICLE 14
CONVENER AND QUORUM OF COMMITTEE**

The first named member of any Special Committee shall be convener to call the committee together when a chairman shall be elected, a majority of any committee shall constitute a quorum for the transaction of business.

**ARTICLE 15
MEMBERS TO GIVE ADDRESS TO SECRETARY**

Every member of the Unit shall from time to time communicate to the secretary his address, and his address and all notices posted to such address shall be considered as having been duly given on the day following the date of posting.

**ARTICLE 16
ANNUAL GENERAL FINANCIAL MEETING**

The annual General Financial Meeting shall be held during the general monthly meeting of March.

**ARTICLE 17
UNIT MEMBERSHIP AND DUES**

17.01 Membership in the Unit shall be in accordance with the General By-Laws of the National KVA. Membership in the Unit 76 KVA is a privilege, not a right, and therefore it is subject to the provisions of the Unit and the General By-Laws of the Association

17.02 Except as set forth in the Unit of the Association, or in its By-Laws as they are from time to time amended, there shall be three (3) categories of membership in the Association, namely:

1. **Ordinary Members**
2. **Honourary Members**

17.03 To become a member of the Unit, one must fill out the application form supplied by the Association. All applicants shall be sponsored by an Ordinary Member in good standing.

17.04 The criteria for each of the Two (2) categories of membership shall be adhered as stated in the general By-Laws of the Association, *with no exception*.

17.05 All members of the Unit 76 KVA must be willing and able to accept the obligations set forth in the Charter of the Association and its By-Laws and any amendments herein after duly enacted.

17.06 Dues for membership in Unit 76 KVA are payable by the last day of January of the renewal year.

17.07 Dues shall be payable in accordance with the General By-Laws of the National KVA. Members in arrears of dues shall be dealt with in accordance with the National By-Laws of KVA.

17.08 Membership dues can only be increased when a majority of the membership of the Unit 76 of KVA votes in favor of the increase.

**ARTICLE 18
RESIGNATION & TRANSFER**

18.01 Any member may withdraw his membership by submitting to the Unit Secretary, his resignation in writing.

18.02 Any Officer or Executive Member resigning must submit his resignation in writing to the Unit Secretary.

18.03 Any member in good standing may transfer from one unit to another by filling out a transfer application from the Unit he is transferring from, signed by the Membership Chairman of that unit and forwarded on to the Unit the individual is transferring to with a copy of the transfer forwarded to the KVA National Membership Chairman for his records.

18.03 No member should be denied transfer from one Unit to another without just cause. Any refusal for transfer is subject to the KVA National By-Laws.

ARTICLE 19 INTERPRETATION

19.01 In any matter affecting the Unit and not provided for in these by-laws and rules or regulations made hereunder, the Executive Committee shall have the authority to act thereon and any such action shall be binding on the member or members except where such authority is contrary to the provision of the National By-Laws of KVA.

19.02 Wherever the singular and masculine are used throughout these By-Laws, the same shall be construed as meaning the plural or the feminine.

19.03 The catchwords or heading of these articles shall not be taken as part thereof in any manner affect the interpretation or construction of same.

ARTICLE 20 ENFORCING ORDER

The presiding officer at any meeting shall enforce order and strict observance of these By-Laws of the General By-Laws of the National Office of KVA, and shall have the right to decide all questions of order subject to an appeal to a meeting sustained by two-thirds vote of eligible members present and the rules of procedure for Unit meetings.

ARTICLE 21 COMPLAINTS AND APPEALS

21.01 All complaints and appeals shall be dealt with in accordance with the General By-laws of KVA.

21.02 Any member or guest at a function put on by Unit 76 of KVA whose conduct is such as to necessitate their forceful removal from the clubrooms, or have been CUT-OFF and refuses to leave after a reasonable time (not to exceed 15 minutes) from the time of being ordered to do so, or who knowingly supplies an alcoholic beverage to a person who has been cut-off, shall be deemed to constitute grounds to warrant temporary suspension of the member by the president under the General By-Laws of KVA. A report will be submitted to the chairman of the grievance committee who will arrange a hearing as provided for in the By-Laws of KVA.

ARTICLE 22 POLITICS AND RELIGION OUT OF ORDER

The presiding officer of any meeting shall rule out of order all matters pertaining to political or religious questions which do not refer to the well being of the members of Unit 76 KVA.

ARTICLE 23 HOLDING REAL PROPERTY AND THE BORROWING OF MONEY

Whenever the Unit desires to possess or acquire by purchase, lease, exchange, or to devise, bequest, endow or otherwise deal with any real property necessary or useful for the carrying out of its purposes and objects, the Unit may sell, lease, mortgage, pledge, hypothecate, or alienate such property only upon a two thirds majority of voting members present, and eligible to vote at a meeting called to consider such action. All members of the Unit whether voting on such resolution or not, shall be deemed to have assented to the same as if they had voted in favor of such resolution.

**ARTICLE 24
AMENDMENTS TO BY-LAWS**

24.01 These By-Laws shall not be amended except by a Notice of Motion of which notice has been given at the previous General Meeting to the one at which the amendment is to be considered. A two-thirds majority of voting members present, and entitled to vote, is required to make such amendments effective.

24.02 Any amendment to these By-Laws shall not become effective until approved by a majority vote of the Unit 76 KVA.

**ARTICLE 25
APPROVAL**

These By-Laws shall take effect on passing thereof and shall supercede all previous By-Laws of the Unit not consistent herewith, but the passing of these by-laws shall not invalidate any act, matter or thing made or done under or by virtue of any By-Laws passed prior to the adoption hereof. These bylaws do not supersede the National KVA By-Laws and must have the approval of Regional and National before they become effective.

**ARTICLE 26
DISSOLUTION OF UNIT**

26.01 If at any time a resolution of the Unit should be presented, such resolution shall not be presented for discussion until every voting member of the Unit in good standing has been notified by mail at his last known address. Such notice to be sent not less than ten days before the meeting has been called to discuss such resolution in accordance with the National KVA by-laws.

26.02 The property of Unit 76 shall not be sold, leased, mortgaged, pledged, or otherwise alienated in any manner whatsoever unless it is so resolved by a two-thirds majority vote of the voting members present at such a meeting called to deal with this matter

**CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE BY LAWS of the Sgt Tommy PRINCE MM Memorial Unit 76
THE KOREA VETERANS ASSOCIATION**

conflicts with 2006

**ARTICLE 27
BY-LAW ACCEPTANCE**

Sec.1. These By-laws and any **amendments** thereto, must be sanctioned by the Board of Directors of the Prairie Region Council and by the KVA National Council.

**ARTICLE 28
AMENDMENTS TO THESE BY-LAWS:**

Sec.1. The By-laws of Unit 76 KVA of Winnipeg Manitoba shall be changed only upon the approval by a two thirds majority vote of the members of the Unit, at a regular meeting of the unit and are subject to Article XVI Sec 1 of the Regional By-laws before they become policy.

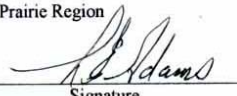
Unit 76 By-law Chairman

25 Feb 2006 
Date Signature

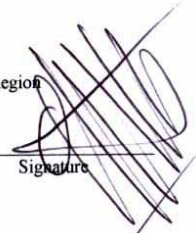
President Unit 76 KVA

25 Feb 2006 
Date Signature

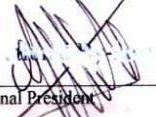
Secretary Prairie Region

FEB 11 2006 
Date Signature

President Prairie Region

FEB 15 2006 
Date Signature

Copies submitted to National Executive

FEB 16 2006 
Date Regional President

Received 21 Feb 2006.

By-laws perused and found free of Conflicts with National By-laws.


Gordon JH Strathy
National Secretary