

STATE CONGRESS DIRECTION
FORMAL REQUEST TO STATE SECRETARY OF RSL NSW
FOR STATE COUNCIL/THE BOARD OF RSL NSW TO CONVENE AN
EXTRAORDINARY STATE CONGRESS
PURSUANT TO CLAUSE 21.9(b) RSL NSW CONSTITUTION

This document is a written request made to the State Secretary of RSL NSW byRSL sub-Branch calling upon State Council/the Board of RSL NSW to convene an Extraordinary State Congress in accordance with the provisions of Section F, Clause 21.9(b) of the Constitution of The Returned and Services League of Australia (New South Wales Branch), also known as the RSL NSW Constitution.

The object of the Extraordinary State Congress is for the delegates to the Congress to consider, and if thought appropriate, pass one or more of the motions detailed in Annexure A to this Direction, to achieve the following:

1. To remove from office all current elected and/or appointed members of State Council/the Board of RSL NSW;
2. To amend the current RSL NSW Constitution and replace it with the amended Constitution known generally as the "Rockdale Constitution";
3. To appoint a "Caretaker Committee" to direct and control the operation of RSL NSW pending Congressional elections being held to appoint a new Board;
4. To require the "Caretaker Committee" appointed by the Extraordinary State Congress to:
 - 4.1 adhere to the Constitution of RSL NSW;
 - 4.2 seek to restore at the earliest opportunity, the ability of RSL NSW sub-Branches to fundraise;
 - 4.3 seek to amend the RSL NSW Act 2018 No. 48, by removing Paragraph 4, from Section 5, Part 2 of the Act, which requires "one Service member, one vote";
 - 4.4 direct as required, the provision of Annual Financial Accounts and Financial Reporting of RSL NSW, including for all entities under its control;
 - 4.5 re-establish the State Branch Tribunal;
 - 4.6 investigate the opportunity under the Anzac House Trust, to relocate RSL NSW to permanent accommodation at an opportune time;
 - 4.7 provide RSL NSW sub-Branches with regular updates on progress; and
 - 4.8 do all things necessary, reasonable, ancillary and appropriate in the management, control, direction and operation of RSL NSW, and to restore trust and transparency in such management, control, direction and operation, and to engender respect for the Constitution.

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President

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Secretary

.....
Date

ANNEXURE A

**MOTIONS FOR CONSIDERATION BY RSL NSW DELEGATES
EXTRAORDINARY STATE CONGRESS**

1. That this Extraordinary State Congress resolves that all current elected and/or appointed members of State Council/the Board of RSL NSW be removed from office at the rising of this Extraordinary State Congress pursuant to sub-Clause 15.4 (f) of the RSL NSW Constitution.
2. That this Extraordinary State Congress resolves that the RSL NSW Constitution can be amended sufficiently to maintain RSL NSW's entitlement to be registered as a charity, to keep its charitable status and to comply with the ongoing governance obligations and other requirements of the Australian Charities and Not-for-profit Commission.
3. That this Extraordinary State Congress approves the amendments to the RSL NSW Constitution set out in the document known generally as the "Rockdale Constitution", a copy of which can be viewed on www.fivedockrsl.org.au.
4. That this Extraordinary State Congress resolves that a caretaking committee be appointed to manage the affairs of RSL NSW, its entities and subsidiaries and other bodies controlled by RSL NSW until a Congressional election or Extraordinary Congressional election takes place and a new Board is elected to office.
5. That this Extraordinary State Congress resolves that the caretaking committee be known as the Caretaker Committee and that it take office at the rising of this Extraordinary State Congress and that the Caretaker Committee consist of the following service members:
 - (a) Mr David Clarke, Five Dock RSL sub-Branch;
 - (b) Mr Douglas Clarke, Smithfield RSL sub-Branch;
 - (c) Mr Alan Lyons, Rockdale RSL sub-Branch;
 - (d) Mr Victor Danko, Mosman RSL sub-Branch ; and
 - (e) Mr Michael McCrone, Singleton RSL sub-Branch .

6. That this Extraordinary State Congress resolves that the Caretaker Committee be mandated to immediately pursue the following initiatives to be implemented by the next Annual State Congress or Extraordinary State Congress whichever is more appropriate:
 - (a) Make immediate and ongoing representations to the NSW Government of the day to amend the RSL NSW Act 2018 No 48 to remove Part 2 Section 5 Paragraph (4) that legislates that service member has one vote in an election of the directors;
 - (b) Engage the necessary professional assistance to restore the ability for RSL NSW sub-Branches to fundraise in their local community;
 - (c) Re-establish the adherence to the RSL NSW Constitution and other statutory authorities by the provision of accurate and up to date annual financial accounts of RSL NSW and all RSL NSW entities under its control in a professional and timely manner including the change of Auditor if required."
 - (d) Establish a State Branch Tribunal pursuant to the RSL NSW Constitution Clause 9.1;
 - (e) Retain the most appropriate professional assistance permissible as Trustee of the Anzac House Trust to investigate and relocate to permanent accommodation for the League and others in accordance with the Anzac House Trust Deed.

7. That the Caretaker Committee provide RSL NSW sub-Branch members with updates to the progression of initiatives (a) to (e) contained within Motion 6 at monthly intervals after the rising of this Extra-ordinary State Congress.