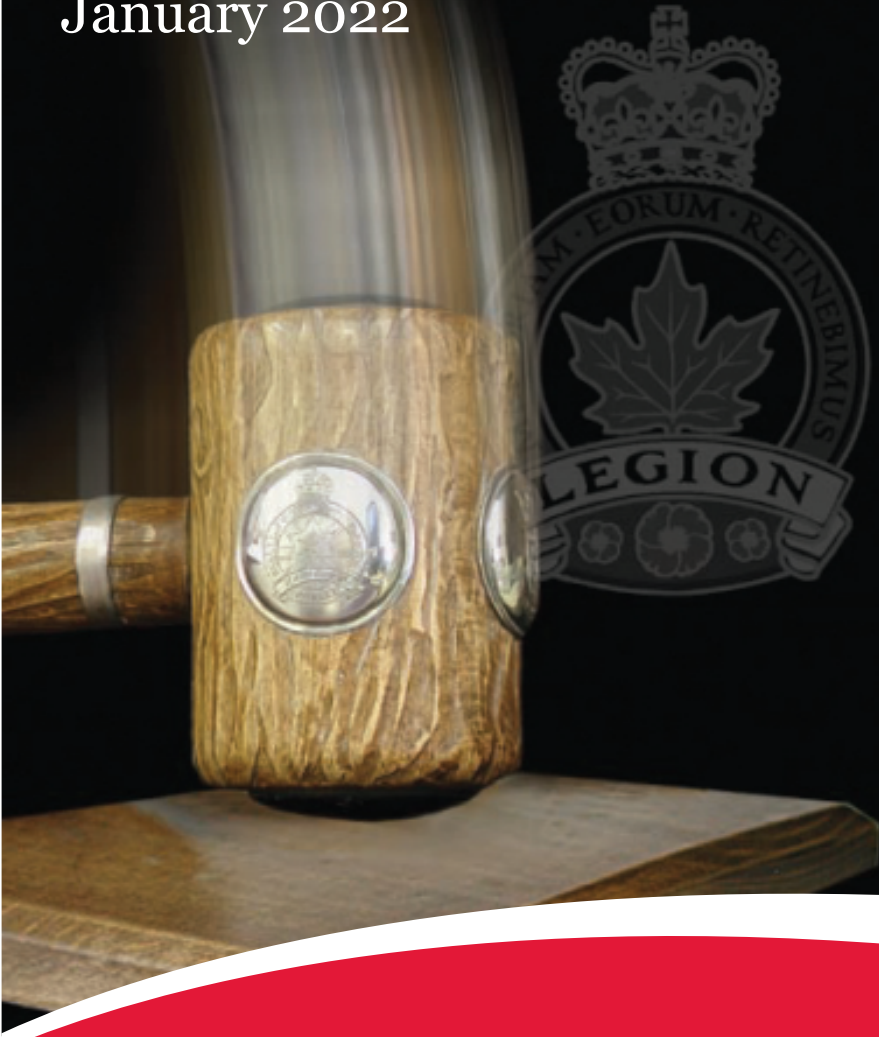


# *Rules of Procedure for Legion Meetings*

January 2022



*Lest We Forget*

**Legion** 



OUR MISSION IS TO SERVE VETERANS,  
WHICH INCLUDES SERVING MILITARY  
AND RCMP MEMBERS AND THEIR FAMILIES,  
TO PROMOTE REMEMBRANCE  
AND TO SERVE OUR COMMUNITIES  
AND OUR COUNTRY.



# Foreword

## **GENERAL BY-LAWS SECTION 1303**

‘IN ALL MATTERS OF PROCEDURE NOT PROVIDED FOR IN THE BY-LAWS OF ANY COMMAND OR BRANCH, THE PROVISIONS OF THE LEGION’S “RULES OF PROCEDURE FOR LEGION MEETINGS” SHALL APPLY. IN ALL CASES WHERE THESE RULES DO NOT MAKE ADEQUATE PROVISION, THEN AND THEN ONLY “ROBERT’S RULES OF ORDER” SHALL APPLY.’


This edition of the Rules of Procedure has been prepared to deal with practical issues such as basic rules, voting and election procedures and the method of calling special general meetings.

It is issued under the authority of the Dominion Executive Council by the Constitution & Laws Committee.



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# Rules of Procedure for Legion Meetings

## Introduction

This manual of Rules of Procedure has been drafted to assist a Chair at any meeting of The Royal Canadian Legion in the performance of their duties and to make available to all members a ready reference to the rules of debate. **A further purpose is to standardize procedure at all meetings of The Royal Canadian Legion.**


Rules of Procedure suited to meetings of democratic organizations in Canada have been developed through trial and error in parliamentary debate in the Parliaments of Great Britain and Canada, and in the Congress of the United States of America. The rules followed in these legislative bodies are not identical, nor can the rules of any one of them be applied in their entirety to the needs of a service organization such as our own.

The Legion is not a debating society, nor is it a business organized for profit. Its purpose is service, in general, to those men and women who were engaged in war, to the relatives of those who were killed or suffered major disabilities in that service, to members of the Regular Force and others who qualify as members, and further, to assist in every manner possible the society in which we live. To control meetings, the Chair must apply the Rules with discretion and should be influenced in their judgments by the principle involved rather than by the letter of the law.

Each Legion member should be familiar with the Rules so that they may co-operate with the Chair in maintaining orderly debate and expediting the business on the agenda. Committee Chairs can greatly assist the presiding officer by submitting reports in writing and discussing the reports with them prior to presentation to the general meeting.

## Basic rules for meetings

- a. Punctuality. Meetings should be opened at the time advertised.
- b. Meetings should not be held where drinks are served. If they are, the bar must be closed during the meeting and all evidence of drinks removed from the tables prior to the opening of the meeting.

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- c. Quorum. If branch by-laws indicate a minimum of voting members required to hold a general meeting, the Chair is unable to call the meeting to order and no business can be transacted at any time until the required number is present. Members must recognize individual responsibility in this matter.

Branches must establish a Quorum for general meetings in Branch By-Laws.

- d. The following Legion publications must be on hand for the Chair at all meetings. They should be reasonably familiar with each one.
  - i. Rules of Procedure for Legion Meetings;
  - ii. the General By-Laws;
  - iii. the Provincial By-laws;
  - iv. the Branch By-laws; and
  - v. the Ritual and Insignia manual.
- e. It should be possible to conduct branch meetings without reference to any parliamentary guide. The above Legion publications are adequate for any branch's purpose. In the unlikely event that neither the by-laws nor these rules make adequate provision for any matters of procedure, then, AND ONLY THEN, reference may be made to "Robert's Rules of Order". This publication, however, does not supersede any established Legion rules of procedure.
- f. Parliamentary Law is common sense used in a gracious manner and the four basic principles to remember are:
  - i. courtesy and justice for all;
  - ii. consider one thing at a time;
  - iii. the minority must be heard; and
  - iv. the majority must prevail.

#### **AMENDMENT—SEPT 29, 2011**

- g. Minutes: As Minutes of Legion Meetings are considered to be official documents in that they are a formal record of discussions and decisions, such Minutes are to be approved at the next meeting of the respective Branch or Committee.

**END AMENDMENT**



## Basic rules for processing a motion

- a. A member secures the floor by rising and addressing the Chair. They give their name and are recognized by the Chair.
- b. They introduce the item of business by making a motion “I Move”. Another member must second the motion which then opens the question for discussion.
- c. The Chair regulates debate and then “puts the question” for a voice vote. They take the affirmative vote, then the negative vote and declares the result (motion carried or lost).
- d. If members feel the decision of the Chair is not correct, then a second vote, either a standing or ballot vote, may be requested.

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**NOTE: The presiding officer at a branch meeting is addressed as Comrade President or Comrade Chair. L.A. in the chair, is addressed as Madam President or Madam Chair.**

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## Basic rules of debate


- a. Each member is entitled to speak once to a question, sometimes more if there is no objection.
- b. Members must not indulge in personalities and should avoid reference by name.
- c. Members must always make enquiries through the Chair.
- d. The proposer of a motion has the privilege of opening debate and giving the final summation after closing of debate by the Chair.
- e. The Chair must remain strictly neutral and must vacate the Chair to a deputy to take part in the debate on any question. They do not return to the Chair until the pending question is voted upon.


## Duties of the chair

The main duties of a Chair of any meeting (except committee meetings) of the Legion are:

- a. To determine that the meeting is legally constituted: that the notice convening it was issued by the proper authority, and that the notice contained reference to all special subjects to be discussed;




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- b. To have in their possession an agenda for the meeting;
  - c. To ascertain that a quorum is present if By-laws establish a quorum;
  - d. To call the meeting to order on opening and to adjourn it when business is completed, or when for some reason it cannot be further proceeded with;
  - e. To observe all ceremonies customary to Legion meetings;
  - f. To take the sense of the members in attendance as to the correctness of the minutes of the previous meeting **of that body**. It is mandatory that the minutes of a branch executive committee be presented to the next branch general meeting **for information**;
  - g. To enforce the observance of all rules for the orderly conduct of a meeting;
  - h. To exercise judgment and tact at all times;
  - i. To put to vote every motion when debate on the motion is complete and to declare the will of the meeting as expressed in the vote;
  - j. To give every member present and so entitled, reasonable opportunity of participating in discussion of the question before the meeting;
  - k. To refuse the right to any member to engage in a discussion of political or religious matters, unless such subjects have a direct bearing on the immediately pending question;
  - l. To preserve order and, if necessary, request any disorderly member to retire from the meeting. The Chair shall instruct the Sergeant-at-Arms to remove any disorderly person and they shall not proceed with further business until this order is complied with;
  - m. To abstain from expressing their personal opinion on any matter under discussion save when such matter pertains directly to a question of order;
  - n. To ensure that complete and accurate records of the meeting are kept;
  - o. To state each motion clearly as it comes before the meeting. If a motion requires seconding they shall not state the motion until it has been seconded;
  - p. To protect the assembly from annoyance by any member proposing motions that are evidently frivolous or dilatory. In such cases the Chair shall refuse to entertain the motion;
  - q. To expedite business in every manner compatible with the rights of the members;

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- r. To ensure that a Sergeant-at-Arms is appointed and charged with all duties pertaining to the maintenance of good order;
  - s. To ensure that the Sergeant-at-Arms is adequately provided with subordinate officers to enable them to perform their duties efficiently;
  - t. To instruct the Sergeant-at-Arms in their ceremonial duties - opening and closing of a meeting, presenting candidates for initiation, presenting newly elected officers for installation - and such other duties as the Chair may determine; and
  - u. To perform such other duties as the meeting may properly direct or the Rules of Procedure may require.

## Nominations

Branch by-laws should make provision for nominations and elections but a few basic rules to note are as follows:

- a. If a nominating committee is utilized by a branch, it may be either elected or appointed;
- b. Members of this committee shall not be nominated by the committee;
- c. The committee selects its own Chair unless appointed by the Executive Committee;
- d. Nominations for branch office, if in writing, must be signed by a member in good standing, and the member nominated indicating willingness to stand;
- e. Nomination papers must clearly indicate the position for which the member is nominated;
- f. The deadline for written nominations shall be established so as to give the committee time to post the names of those nominated in advance of the elections;
- g. Where branch by-laws permit and where no advance poll has been held, further nominations may be made from the floor immediately prior to elections but shall be confined to members present or who have signified, in writing, their willingness to stand;
- h. The committee is responsible to establish the eligibility of nominees with particular reference to any restrictions in the branch by-laws with respect to length of membership, previous service on the executive committee, etc. (See General By-laws, Article VI);

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- i. The committee shall ensure that all members are made aware of the dates and times for voting;
  - j. The duties of a branch Nominating Committee cease upon the filing of their final report which shall be prior to any election; and
  - k. Nothing shall prevent a member of the nominating committee from being nominated from the floor after its final report has been given.

## Elections

- a. Should be by secret ballot.
- b. Where authorized by branch by-laws and procedures established, those members who are unable to get to the general meeting may be given an opportunity to cast their ballot in person at an advance poll. Proxy voting is not permitted at branch elections.
- c. Where balloting does not take place at a general meeting - as in the case of some larger branches - the ballots should contain the list of candidates for each office with space for voting beside each name.
- d. Where balloting takes place at a meeting, the unsuccessful candidates for an office may be nominated for the next office down the list, subject to 5 (g).
- e. The nominating committee may be declared as the elections committee or a special elections committee (scrutineers) may be appointed by the Chair comprised of senior members who are not running for any office, and shall make the count of votes and declare the winners. In the case of a tie vote for any office, a second ballot shall be called for. Should a tie still result, then a method to arrive at a decision agreeable to both candidates may be used; otherwise balloting must continue until a result is achieved.
- f. It is not customary within the Legion for the number of votes cast for each candidate to be declared.
- g. When the Chair is satisfied that the elections are properly concluded and that recounts are not called for, a member should move “that the ballots be destroyed”.
- h. Losing candidates should refrain from making the meaningless gesture of “I move the vote be unanimous”.

i. Definitions -

**Majority:** Means more than half.

For example,

\* If 19 votes are cast, a majority(more than  $9 \frac{1}{2}$ ) is 10.

\* If 20 votes are cast, a majority(more than 10) is 11

\* If 21 votes are cast, a majority(more than  $10 \frac{1}{2}$ ) is 11.

**Plurality:** Means the highest number of votes. For example, if 4 candidates are running for one office and the rule of plurality applies, the candidate receiving the highest number of votes, without necessarily receiving a majority, is elected to that office.

## Methods of voting

The will of a meeting is ascertained by one of the following methods:

**a. Yea and Nay Vote -**

Questions requiring a simple majority vote may be decided by this method. The Chair decides the results on the basis of hearing and observation.

**b. Show of Hands Vote -**


This is the common method of ascertaining the will of the meeting on questions which require a simple majority vote. The Chair decides the result on the basis of their observation of the number of hands raised for the motion and against the motion.

**c. Standing Vote -**

This method is required when the actual number of votes for and against a motion must be known, or when the Chair is not satisfied that the sense of the meeting has been obtained by a show of hands or by a yea and nay vote. It is often adopted when more than a simple majority is necessary to decide the question. Members in favour of the motion are required by the Chair to stand and as each member is counted they resume their seat. Members opposed to the motion are then required to stand. They are counted and then resume their seats. The Chair then announces the result of the vote.

**d. Secret Ballot Vote -**

This method requires the issue of ballots by the scrutineers (or whips). These ballots may be blank pieces of paper or papers containing the names of those members who are standing for election to a vacancy announced by the Chair, or stating the question to be decided. The secret ballot may be



used to decide any question before a meeting upon approval of a majority of the meeting. When each member entitled to vote has completed their ballot, it is handed to the scrutineers. In no case shall the number of completed ballots received by the scrutineers exceed the number of members who are present at the meeting and entitled to vote. See “Choosing a Method of Voting”, Page 22.


**e. General Rules For Use Of Casting Vote -**

- i. In the by-laws of some organizations, in the event of the “for” and “against” votes on a question being equal, the Chair has a casting, or second vote. In meetings of the Legion the Chair has no casting or second vote. As an accredited member, the Chair has a vote which they may use either when the vote is called for or when the vote results in a tie.
- ii. In the event of a tie the Chair may use their vote if they have not already voted, or they may rule that the affirmative lacks a majority which is necessary to carry the motion; therefore the motion is lost.
- iii. The Chair cannot be compelled to vote on any question.

## Special General Meetings

In unusual or pressing circumstances a special general meeting may be called by the branch executive committee or at the written request of a specified number of members. The branch by-laws shall specify the number of signatures required to call such a meeting. In the absence of such a by-law, provincial command by-laws shall apply.

- a. Where the meeting is called by the executive committee, the members shall be notified at least seven days prior to the meeting. Such notice shall contain, briefly, the purpose of the meeting.
- b. Where the meeting is called at the request of members, the written request shall contain the required number of signatures, as specified above, and the purpose of the meeting. Members shall be notified at least seven days prior to the meeting.
- c. Written notice of the time, place, date and purpose of the meeting shall be posted at the branch premises.
- d. Such notice shall be sent by post or delivered by hand to the last known address of every person entitled to vote at the meeting or communicated to the members by such other method approved by provincial command.

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- e. Only that business for which the special meeting has been called shall be dealt with.
  - f. The minutes of special meetings shall be carefully recorded and posted for the information of all members unless, for a special reason, the meeting directs otherwise.

## Classification of motions

### a. **Privileged Motions -**

A privileged motion is one that, while having no relation to the pending question, is of such urgency or importance as to require that it shall take precedence over all other motions.

### b. **Subsidiary Motions -**

A subsidiary motion is one that may be applied to the main motion, and to certain other motions, for the purpose of amending them, delaying action upon them, or otherwise disposing of them.

### c. **Main Motions -**

(Also called principal or substantive motions)

A main motion is one that brings before the assembly a particular subject for consideration. It cannot be made when another motion is pending.

### d. **Incidental Motions -**

An incidental motion is one that arises out of another question which is pending, or has just been pending, and shall be decided before the pending question, or before other business is taken up. Incidental motions have no fixed rank but take precedence over questions out of which they arise, irrespective of whether those questions are main, privileged, subsidiary, or miscellaneous motions.

### e. **Miscellaneous Motions -**

This classification includes motions to reconsider, **to take from the table** and to rescind.

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**NOTE: NOTICE OF MOTION** is notice of a motion given at a meeting to be presented to the next meeting of the same body. Its use should be provided for in the appropriate by-laws. The Notice of Motion on presentation does not require a seconder and is not debatable. If the motion is introduced at the next meeting, normal rules apply.

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## TABLE OF RULES RELATING TO MOTIONS LEGEND

Y - Yes

N - No

M - Majority vote required

2/3-Two-thirds vote required

REFERS TO PARAGRAPH	CLASSIFICATION AND TITLE	DOES IT REQUIRE SECONDING	IS IT DEBATABLE	IS IT AMENDABLE	WHAT VOTE IS REQUIRED	CAN IT BE RECONSIDERED	CAN IT INTERRUPT A SPEAKER
<b>a.</b>	<b>PRIVILEGED MOTIONS</b>						
(i)	To fix a time at which to adjourn	Y	N	Y	M	Y	N
(ii)	To adjourn	Y	N	N	M	N	N
(iii)	To raise a question of privilege	N	N	N	Note 1	N	Y
(iv)	To call for the orders of the day	N	N	N	Note 2	N	Y
<b>b.</b>	<b>SUBSIDIARY MOTIONS</b>						
(i)	To lay on the Table	Y	N	N	M	N	N
(ii)	The previous question	Y	N	N	2/3	Y	N
(iii)	To limit (or extend) debate	Y	Y	Y	2/3	Y	N
(iv)	To postpone to a certain time	Y	Note 3	Y	M	Y	N
(v)	To refer	Y	Note 4	Y	M	Note 5	N
(vi)	To amend	Y	Y	Note 6	M	Note 7	N
(vii)	To postpone indefinitely	Y	Y	N	M	Note 8	N
<b>c.</b>	<b>MAIN MOTION</b>						
(i)	Introducing new business	Y	Y	Y	M	Y	N
(ii)	Nominations for elective officers	N	N	N	N	N	N
<b>d.</b>	<b>INCIDENTAL MOTIONS</b>						
(i)	Point of order	N	N	N	Note 1	N	Y
(ii)	Appeal from decision of the Chair	Y	Y	N	M	N	Note 9
(iii)	Suspension of the Rules	Y	N	N	2/3	N	N
(iv)	Choosing a method of voting	Y	N	Y	M	N	N
(v)	Division of an assembly	N	N	N	Note 1	N	N
(vi)	Objection to a consideration of a question	N	N	N	2/3	Note 10	Y
(vii)	Withdrawal of a motion:						
(a)	before question is stated	N	N	N	Note 1	N	N
(b)	after stated but before vote is taken provided no member objects	N	N	N	Note 1	N	Y
(c)	if objection raised to withdrawal after question stated.	Y	N	N	M	Note 10	N
<b>e.</b>	<b>MISCELLANEOUS MOTIONS</b>						
(i)	To reconsider	Y	Y	N	M	N	N
(ii)	To take from the table	Y	N	N	M	N	N
(iii)	To rescind	Y	Y	Y	2/3	Note 10	N



## These notes refer only to the table of rules relating to motions

### NOTE NO:

1. A vote is not required.
2. Requires a two-third negative vote to be defeated.
3. Debate shall be confined to the subsidiary motion only.
4. Debatable provided the main motion permits debate.
5. Can be reconsidered provided the committee has not commenced deliberation on the referred motion.
6. A primary amendment may be amended but a sub-amendment cannot be amended.
7. It may be reconsidered at any time before the Chair has put the main motion to vote.
8. Only an affirmative vote can be reconsidered.
9. In order when another speaker has the floor but not after debate on the motion has resumed or other business has been proceeded with.
10. A negative vote only can be reconsidered.

## Order of precedence of motions

### a. Privileged Motions

#### i. To fix a time at which to adjourn -


This motion is privileged only when another motion is pending and in an assembly that has made no provision for another meeting on the same or the following day.

The following rules govern: requires seconding; is not debatable; can be amended; requires a majority vote; can be reconsidered; cannot interrupt a speaker.

#### ii. To adjourn -

This motion loses its privileged character and is a main motion if it is in any way qualified, or if its effect, if adopted, is to dissolve the assembly without any provision for its meeting again.





The following rules govern: requires seconding; is not debatable; cannot be amended; requires a majority vote; cannot be reconsidered; cannot interrupt a speaker.

**iii. To raise a question of privilege -**

Both the meeting itself and each of its members have certain rights with respect to safety, comfort, dignity, reputation and freedom from disturbance. Raising question of privilege (or making a motion of privilege) is a method by which a member directs the attention of the meeting to a situation which interferes with any of these rights. This question cannot be raised if there is pending a motion of equal or higher precedence.

The following rules govern: does not require seconding; is not debatable; cannot be amended; is not put to vote; cannot be reconsidered; can interrupt a speaker.

**iv. To call for the orders of the day -**

Should a member wish the meeting to consider confining deliberations to matters on the agenda, a motion calling for the orders of the day shall be in order provided there is no motion of equal or higher precedence pending and provided the meeting has not by resolution decided to depart from the agenda.

The following rules govern: does not require seconding; is not debatable; cannot be amended; requires a two-third negative vote to be defeated; cannot be reconsidered; can interrupt a speaker.

**b. Subsidiary Motions -**

**i. To Table -**

This motion if adopted automatically removes from debate the main motion together with motions, if any, that may be pending with it at the time. It can be taken from the table by motion at the same convention or meeting, provided no other business is before the house when proposed. It may not be taken from the table at that meeting unless so provided in its terms.

The following rules govern: requires seconding; is not debatable; cannot be amended; requires a majority vote; cannot be reconsidered; cannot interrupt a speaker.



**ii. The previous motion - closure**

This motion is used to force a direct vote on the main motion. The previous motion, until it is decided, shall preclude all amendment of the main motion and shall be in the following words: “That the main motion be now put to vote”. If the previous motion is resolved in the affirmative the original motion is to be put forthwith without amendment or debate. If the previous motion is resolved in the negative, debate on the original motion shall continue.

The following rules govern: requires seconding; is not debatable; cannot be amended; two-thirds majority vote required; can be reconsidered; cannot interrupt a speaker.

**iii. To limit or extend debate -**

Debate on a particular motion may be limited by means of a motion to limit debate, or extended by means of a motion to extend debate. The motion must state the extent to which debate shall be limited (or extended). Such motion shall be in order provided that: there is no pending motion of equal or higher priority; the pending motion is debatable; and the motion is made only with respect to the pending motion.

The following rules govern: requires seconding; is debatable; can be amended; requires a two-third majority vote; can be reconsidered; cannot interrupt a speaker.


**iv. To postpone to a certain time -**

This motion, if decided in the affirmative, has the effect of laying the motion, with all that pertains to it, on the table until a definitely stated time. When the specified time is reached this motion has priority over all others except those that are privileged. The motion may be taken from the table before the stated time if approved by a two-third affirmative vote.

The following rules govern: requires seconding; debate must be confined to the subsidiary motion and must not include the motion to which it refers; can be amended; requires a majority vote; can be reconsidered; cannot interrupt a speaker.

**v. To refer -**

By this motion a pending motion is referred with or without instructions to a committee or an individual. If the committee is not



in existence, the motion should provide for its appointment (e.g. by the President or Chair) or election, and should state the number of members intended to serve on the committee. Alternatively, the motion may contain the names of the proposed committee members. It is desirable that the motion should indicate when the committee shall report back to the general body. This motion can be applied to a main motion only and may be moved provided there is no pending motion of equal or higher precedence.

The following rules govern: requires seconding; is debatable provided the main motion is debatable; can be amended; a majority vote is required; may be reconsidered provided the committee has not commenced its deliberations upon the referred motion; cannot interrupt a speaker, or proceeding, after debate has been entered into.

**vi. To amend -**

A primary amendment is an amendment to a motion; a sub-amendment is an amendment to the amendment. While an amendment and a sub-amendment are pending the Chair shall not recognize a further amendment, yet they may recognize a substitution which, if agreed to, would become the sub-amendment. An amendment may be applied to any motion except those listed below. An amendment must be relevant to the subject to be amended. Amendments are voted on in the reverse order to that in which they were proposed. If an amendment or sub-amendment is defeated another may be moved. When all amendments have been decided the original motion, modified by any amendment which may have been carried, shall be put to vote.

The following rules govern: requires seconding; is debatable; an amendment may be amended but a sub-amendment cannot be amended; a majority vote is required; may be reconsidered but only up to the time when the motion which it amends is put to vote by the Chair; cannot interrupt a speaker.

**Motions that cannot be amended -**


To adjourn (if privileged)

Call for the orders of the day

Questions of order

Appeal from the decision of the Chair

Objection to consideration of a motion



Call for division of the assembly  
To grant leave to withdraw a motion  
To grant leave to speak after indecorum  
A request of any kind  
To take up a question out of its proper order  
To suspend the Rules  
To lay on the table  
To take from the table  
To reconsider  
The previous motion  
To postpone indefinitely  
To amend an amendment  
To fill a blank  
A nomination

**vii. To postpone indefinitely -**

This motion yields to all privileged and to all other subsidiary motions. The only motions that can be applied to it are the previous motion or motions limiting or extending debate. The purpose of this motion is to reject the original motion without incurring the risk of a direct vote.

The following rules govern: requires seconding; is debatable; cannot be amended; requires a majority vote; only an affirmative vote can be reconsidered; cannot interrupt a speaker.

**c. Main motions -**

**i. Introduction of new business -**

A main (the terms substantive and principal are also used) motion is a self-contained proposal not incidental to any proceeding, amendable and drafted in such a way as to be capable of expressing a decision of the meeting. It is a motion that does not take precedence over any other motion.

The following rules govern: requires seconding; is debatable; can be amended; a majority vote is required; can be reconsidered; cannot interrupt a speaker.



**ii. Nominations for elective office -**

A nomination for any office held by election is classified as a main motion and shall be governed by rules given in the section on nominations and in the section on voting at elections.

The following rules govern: does not require seconding; is not debatable; cannot be amended; cannot be reconsidered; cannot interrupt a speaker.

**d. Incidental motions -**

**i. Point of order -**


A member may interrupt debate at any time by addressing the Chair and stating their desire to raise a point of order. Such action is taken to ensure orderly procedure. It may refer to such matters as a breach, or violation, of the rules of procedure, or of the by-laws, or of mandates and rules of some superior authority. It may be raised when a speaker is not confining their remarks to the motion before the Chair.

The following rules govern: does not require seconding; is not debatable; cannot be amended; is not put to the vote; cannot be reconsidered; may interrupt a speaker.

**ii. Appeal from the decision of the Chair -**

If a member disagrees with the ruling of the Chair on a motion they may ask the intervention of the assembly as to the correctness of the Chair's decision. It cannot be made when another appeal is pending but must be made as soon as possible after the Chair has announced its decision and before debate on the pending motion has been resumed. If the business of the meeting has been proceeded with, no appeal may be made.

In appealing the Chair's decision a member shall rise and address the Chair thus: "Comrade Chair, I appeal from the decision of the Chair." This appeal may be made without waiting for recognition by the Chair. The Chair will then ask if the appeal is supported. If the appeal is duly supported by at least one other member, the Chair will state the motion in the following or similar terms: "There is an appeal from the decision of the Chair." The Chair may then state, if they so desires, their reasons for the decision. They shall then put the question to vote: "Is the decision of the Chair sustained? Those in



favour of the decision will say a 'yea'". They will then follow with the question: "Those against the decision will say 'nay'". If the voices do not indicate the sense of the meeting, the Chair may call for a standing vote.

The following rules govern: requires the support of at least one other member; may be debated; cannot be amended; requires a majority vote; cannot be reconsidered; is in order when another speaker has the floor, but not after debate on the pending motion has resumed, or other business has been proceeded with.

### **iii. Suspension of the rules -**

At times it may be necessary in cases of urgency to suspend the rules for the purpose of enabling a particular motion to be made, but this procedure should not be encouraged. It may be moved at any time when no motion is pending; or while a motion is pending provided it is for a purpose connected with the motion. It is usually proposed when it is desirable to take up a piece of business out of its proper turn.

The following rules govern: requires seconding; is not debatable; cannot be amended; two-thirds majority required; cannot be reconsidered; cannot interrupt a speaker.


### **iv. Choosing a method of voting -**

It is within the rights of an assembly to take a vote on a motion (not otherwise prescribed in the By-Laws) by any method it chooses. A member may propose that a vote on a motion be taken by standing vote or by secret ballot.

The following rules govern: requires seconding, is not debatable; can be amended; requires a majority vote; cannot be reconsidered; cannot interrupt a speaker.

### **v. Division of an Assembly (Standing Vote)-**

A division may be called for by a member who believes that the vote by yeas and nays or by a show of hands which has just been taken is not decisive. When a division is called for by a member, the Chair will proceed to take another vote by having those in favour of the affirmative stand, counted and seated; they will then proceed in like manner with those opposed to the motion. Also, a member may call for a division immediately when the motion is put to vote by the Chair, or the Chair may order a division on any particular motion.



The Chair should not permit this privilege to be abused.

The following rules govern: does not require seconding; cannot be debated; cannot be amended; is not voted on; cannot be reconsidered; cannot interrupt a speaker.

**vi. Objection to the consideration of a motion -**

Objection may be made to the consideration of any original main motion (and to no others), provided it is made before there is any debate or before any subsidiary motion is stated. The Chair may put this motion to vote on their own responsibility if they consider such action advisable. This motion cannot have any subsidiary motion applied to it. Since this motion is only applicable where the main motion is in order under the Act of Incorporation and the By-laws, it should be used sparingly and only in exceptional circumstances.

The following rules govern: does not require a seconder; is not debatable; is not amendable; requires a two-third affirmative vote; a negative vote, but not an affirmative vote may be reconsidered; may interrupt a speaker.

**vii. Withdrawal of a motion -**

Leave to withdraw a motion may be requested as follows:

The mover may withdraw their motion without the consent of any one, provided the Chair has not stated the motion, and may request leave to withdraw after the motion has been stated by the Chair, but before a vote has been taken on the motion, provided no member objects.

If objection is made, a member may move that permission to withdraw the motion be granted, in which case the following rules govern: requires a seconder; is not debatable; cannot be amended; requires a majority vote; a negative vote can be reconsidered; out of order when another has the floor.

**e. Miscellaneous motions -**

**i. To reconsider -**

Reconsideration of a motion is accepted today as one of the inherent rights of private meetings. It deviates from parliamentary procedure in that reconsideration of a motion is not permitted in the



Canadian Parliament.

A motion to reconsider cannot be permitted after the motion to which it refers has been acted upon: it can be moved only by a member who voted on the original motion with the prevailing side. The original motion must be one that is subject to reconsideration: it cannot be applied to the previous motion, to adjournment or to any other subsidiary motion. A motion to reconsider is out of order if a similar motion has been previously applied to the main motion. The motion to reconsider must be moved at the meeting in which the motion to be reconsidered originated.

The following rules govern: requires a seconder; is debatable; cannot be amended; requires a majority vote; cannot be reconsidered; out of order when another speaker has the floor.

**ii. To take from the table -**

This motion takes precedence of no pending motion but has right of way in preference to main motions if made during the meeting in which it was laid on the table, while no motion is actually pending, and at a time when this class, or unfinished business, or new business is in order. It yields to privileged and incidental motions but not to subsidiary ones.

The following rules govern: requires seconding; is not debatable; cannot be amended; majority vote required; cannot be reconsidered; cannot interrupt a speaker.

**iii. To rescind -**

This motion is used when it is desired to rescind, cancel or repeal a motion previously adopted, provided it has not been carried out or executed. It can be proposed at any meeting. If the motion previously adopted has been executed, to rescind is out of order. It can be reconsidered if the negative side prevails but not if the affirmative side prevails. The motion to rescind usually applies to motions acted on in past meetings because the motion to reconsider applies to motions which have been acted on in the current meeting.

The following rules govern: requires a seconder; is debatable; can be amended; two-thirds majority vote required; can be reconsidered only if negative side prevails; cannot interrupt a speaker.





## Request for information

A member may “rise for information” when they desire simply to ask a question on the merits, or contents, of the motion before the meeting. They may wish to know the cost involved or to ask some other question relating to the motion. For this purpose, a member cannot interrupt a speaker without their consent. On the question being raised, the Chair will ask the speaker if they will yield the floor. The speaker may refuse if they so desires.

Rules of Procedure for Legion Meetings

**Dominion Command**

86 Aird Place, Ottawa, ON  
Canada K2L 0A1

**legion.ca**

