

Royal Charter - Have Your Say

Overview

GOVERNING OUR LEGION - HAVE YOUR SAY

Thank you for taking the time to take part in this consultation. It is a vital part of a process the Board of Trustees are undertaking to explore how to best govern and lead our Charity for the future.

We are seeking input from the Charity Commission, have taken advice from lawyers highly experienced in charity governance, and we are now consulting internally across the Board, the Membership Council and with you, the Membership.

The outcome of all this work will be a Motion to Conference 2019 once our consultations and discussions are complete, at which point you will get to vote on our recommended changes.

[You can view the existing Royal Charter at:](#)

www.britishlegion.org.uk/membership

Please encourage as many Members as possible to take part either via this online survey or by printing it out and sending it to:

*Have your Say
Membership Team
Haig House
199 Borough High Street
SE1 1AA*

If you have any questions, you can email RoyalCharter@britishlegion.org.uk, or phone the Membership Team on 0203 207 2269.

Thank you again for taking the time to help us build a stronger Legion.

Closing date for submissions is Friday, September 28th at 5pm.

SECTION 1 - The structure of the Legion's governing documents

Our legal advisors are suggesting that we create a two part Royal Charter, one part containing our Articles, the other our Rules. The Membership Handbook would then contain the guidance on how we manage and run the Legion day to day.

1. Does this proposal make sense to you? If not, why not?

Please write in the box below

2. Are there any Regulations currently in the Membership Handbook which should be in the Articles or Rules?

Please write in the box below

SECTION 2 - The Purposes of the Legion

We are looking to redefine our definition of a beneficiary to reflect the people we now need to support. Having not been changed in years, our definition needs some updating to be fit for the future.

Please see Appendices 1 and 2 for current definitions.

3. What criteria should we use to define an RBL beneficiary?

Please write in the box below

4. Should we extend our Objects from “commemoration of those who have died whilst on active service” to also include “those who died whilst in service”, something we already do at the National Memorial Arboretum where the Armed Forces Memorial commemorates all those who died on active service since World War 2?

Please write in the box below

5. Are there any other changes to our Remembrance activities that you would like to see?

Please write in the box below

SECTION 3 - The Legion's Powers

Our Powers give us the authority in Law to carry out an activity. We believe that these Powers could be amended to be more tightly defined and to remove Powers we will not want to exercise in the future.

Please see Appendix 3 for a full list of current Legion powers. We have given all powers listed in the appendix a letter. For ease, please use these letters to note any powers you would like to refer to in your answers.

6. Which Powers do you think we could remove?

Please write in the box below

7. Are there any Powers you think we should consider adding?

Please write in the box below

SECTION 4 - The Elections

The duties and responsibilities expected of those standing as Trustees and Chairs of charities are changing and being expanded all the time - just think of the scandals that have enveloped Oxfam and Kids Company in recent months. The advice we are being given is that our current systems are not robust enough to ensure that we always have the right skills sets at our disposal. This Autumn's elections will go ahead under the current system but we want to explore changing the process for the future.

8. How could we improve the election process for Trustees?

Please write in the box below



9. How could we improve the election process for Membership Council?

Please write in the box below

10. How could we improve the election process for the National Officers?

Please write in the box below

SECTION 5 - Annual Conference

Finally, we see numbers attending Annual Conference fall year on year. Fewer voting delegates attending runs the risk of Conference and its decisions not being truly representative of the whole Legion, just those who can attend Conference.

11. What changes would you like to see to Annual Conference?

Please write in the box below

12. Should we explore other ways of voting for those who cannot attend Conference eg postal or proxy voting?

Please write in the box below

SECTION 6 - Anything else?

Thank you for your time and input so far. If there anything else you would like to add in relation to our Charter consultation please answer the next question.

13. Finally, is there anything else you would like to add in relation to our Charter consultation process?

Please write in the box below

APPENDIX 1

DEFINITION OF BENEFICIARY

Beneficiary:

(a) any man or woman who is currently serving as a Regular, Reserve or Auxiliary member of the Royal Navy, Army or Royal Air Force and who is aged 16 years or over, and has received 7 days' pay;

(b) any man or woman who has previously received 7 days' pay as a Regular, Reserve or Auxiliary member of the Royal Navy, Army or Royal Air Force, and is aged 16 years or over;

(c) any man or woman who served with the Mercantile Marine afloat in hostile waters, or as a full-time member of Allied Civil Police Forces, or who is entitled to the campaign medal issued by the Royal Navy, Army or Royal Air Force to those giving them direct support or under their command;

(d) any member of Voluntary Aid Societies who has served full time and in uniform in direct support of the United Kingdom Armed Forces;

(e) any British subject (whether by birth or otherwise) who has, during hostilities in which the United Kingdom Armed Forces were engaged, served at least 7 days in:

(i) the Forces of an Allied nation and received 7 days' pay from that nation:

or

(ii) a resistance organisation of an Allied nation; Articles 3 2003 Royal Charter Version 12

(f) any man who:

(i) served in the Home Guard for at least 6 months, or in a Bomb and Mine Disposal Unit for at least 3 months;

OR

(ii) was awarded the Defence Medal for service in the Home Guard or in a Bomb and Mine Disposal Unit.

However, no conscientious objector may qualify as a Beneficiary, unless they subsequently served in the Armed Forces meeting the qualifying conditions. The Board of Trustees decides which organisations qualify as Reserve or Auxiliary Forces or as Voluntary Aid Societies, and publishes a list from time to time. If there is any uncertainty, its decision is final and binding. Dependant, spouse, children and immediate family members have the meanings given to them by the Governing Regulations.

APPENDIX 2

OTHER DEFINITIONS

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

Child: any child who is financially dependent or dependent for care on a beneficiary or spouse.

Dependants: any person who is financially dependent or dependent for care on a beneficiary or spouse, or any person on whom a beneficiary is dependent for care.

Immediate family members: any parent, sibling or named next of kin of a beneficiary for a period of two years from the date of the beneficiary's death, or the date that he sustained his severe injury. Where an inquest is to be held into the death of a serving beneficiary, support may continue until the inquest has been completed.

Spouse: any partner of a beneficiary by marriage, civil partnership, or cohabitating relationship; those who are divorced or separated partners or widows or widowers of a beneficiary; and those surviving a deceased civil partner or cohabitating partner who was a beneficiary.

APPENDIX 3

LEGION POWERS

To help achieve its objects, though not to exceed them, and without restricting the powers legally granted to the Legion by the Charter, the Legion has the following powers:

(a) to ask for and receive subscriptions and gifts of all kinds, whether absolute or conditional, in aid of the objects, and to obtain money for those objects by any legal means;

(b) to arrange for and assist spouses and children to visit the graves of those who have fallen in service;

(c) to publish a Legion magazine;

(d) to establish and run nursing, residential and convalescent homes for the benefit of beneficiaries who are old, sick and disabled or their widows, widowers, children and dependants. This may include purchasing services from independent agencies; and providing rest breaks for the volunteer carers of the beneficiaries;

(e) to make grants or loans, with or without security, to beneficiaries who are in need, and their widows, widowers, children and dependants, to help them find and keep their job or maintain their home;

(f) to organise Festivals of Remembrance, services and parades to perpetuate the memory of sacrifices made during service with the Armed Forces in war and peace;

(g) to give financial assistance to any ex-Service charity that shares one or more of the objects. Its use must be limited to those objects;

(h) to promote, subscribe for, purchase or otherwise acquire any company, society or other institution (in the Charter referred to as the Related Companies) in order to achieve any of the objects;

(i) to accept shares in any commercial company that has irrevocably covenanted to pay the whole of its profits to further the objects;

(j) to carry on trading activities that are ancillary to carrying out the objects; Articles 5 2003 Royal Charter Version 12

(k) to acquire any lands or legal interests anywhere in the world, and to hold all land that the Legion is thus authorised to acquire freehold or on lease or otherwise. From time to time but in accordance with the law, it may grant, sell, lease, mortgage or otherwise dispose of part or all of this property;

(l) to acquire any fixed or movable property on trust for any part of the Legion, or on any special trusts that fall within its objects, provided always that this trust property is administered separately and apart from any other property or funds of the Legion;

(m) to give any guarantees or indemnities to any individuals, corporation or body transferring property to the Legion, and to settle any disputes or differences with any of them;

(n) to construct and alter any offices, houses or other buildings or works that the Legion may need from time to time for its own purposes or to accomplish any of its objects;

(o) to borrow and raise money;

(p) to combine, co-operate with, take over, amalgamate with or absorb any other Society whose aims are included in the Legion's objects, provided that the Legion has no connection, either directly or indirectly, with any political party or organisation;

(q) to invest all money that belongs to the Legion, that is not for the time being required for any of its objects, in any investments allowed by law for the investment of trust funds. With the consent of the Board of Trustees and after taking relevant professional advice, this money may be invested in or upon such stocks, funds, shares, securities or other investments as the Board of Trustees thinks fit;

(r) to make proper and reasonable provision for pensions and superannuation for employees of the Legion and their dependants;

(s) to use the capital of and income from the money and other fixed or movable property, granted to or belonging to the Legion at any time, to further any or all of the objects;

(t) to purchase indemnity insurance for trustees;

(u) generally to do all things that further the objects.