

**DOMINION COMMAND
GENERAL BY-LAWS
EXTRACTS**

ARTICLE XI

**I HAVE INCLUDED THIS ARTICLE IN WHOLE AS IT RELATES TO
FILLING IN THE BRANCH STATUS REPORT - POPPY TRUST
FUND**

ARTICLE XI

POPPY FUND

CAMPAIGNS

1101.

- a. Where a Command, District, Zone, Branch or group of branches conducts a Poppy Campaign as a group or jointly with any other organization, that Command, District, Zone, Branch or group of branches shall be responsible for all aspects of the campaign.
- b. All branches shall participate in Poppy Campaigns and Remembrance Day services.
- c. Poppy distribution to the general public will commence no earlier than the last Friday in October and conclude on 11 November.
- d. The ceremonial presentation of the National First Poppy to the Governor General by the Dominion President will be coordinated by Dominion Command for an appropriate date prior to the actual campaign start date. When possible, the date for the ceremonial presentation of the First Poppy will be advised by 1 September to all Provincial Commands.

Presentation of Provincial First Poppies by Provincial Commands to Lieutenant Governors and any other First Poppy presentations by branches shall be actioned at a convenient date subsequent to that for the presentation of the National First Poppy to the Governor General.

1102.

- a. All monies received from a campaign shall be deposited in a separate trust account in one or more of the banks, trust companies or other institutions referred to in Section 131.
- b. With the exception of promotional materials, Provincial Commands and branches shall use only Poppy Campaign material supplied by Dominion Command.

1103. A Command, District, Zone, Branch or group of branches may hold Poppy Trust Funds for a short term in government or corporate bonds or other readily transferable securities authorized by the appropriate legislative body for the investment of trust funds.

PURPOSES

1104. The Command, District, Zone, Branch or group of branches may withdraw or expend monies from the Poppy Trust account only for the purposes set out in these By-Laws.

- a. The basic purpose and obligations of Poppy Trust Fund are to assist:
- i. Canadian ex-service personnel and their dependants who are in need of assistance;
 - ii. Merchant Navy personnel who are eligible for and who have been awarded campaign stars or decorations, and their dependants who are in need of assistance; and
 - iii. ex-service personnel of Commonwealth countries, other than Canada, and of allied countries, resident in Canada, and their dependants, who are in need of assistance.
 - iv. dependants of currently serving military personnel who are in need of assistance.

NOTE: The funds may only be used for emergency assistance which is defined as shelter, food, fuel, clothing, prescription medicine and necessary transportation. Assistance cannot be continued over an extended period.

Comforts, as defined in the Poppy Manual, may be provided for ex-service personnel and their widows/widowers who are hospitalized, in long-time care facilities or in their homes.

- b. Other authorized uses are:
- i. prizes for promotional contests, having direct connection with the campaign or for the promotion of Remembrance such as the Literary and Poster contest;
 - ii. Funding of the "Two Minute Wave of Silence" program at all levels;

- iii. payment of the costs of operating a service bureau or its equivalent; and
- iv. granting of bursaries to children and grandchildren of any of the personnel as identified in paragraphs 1104.a.i, ii and iii.

NOTE: A bursary is given for need, unlike a scholarship, which is awarded for scholastic achievement only.

- c. Payment of the expenses of the poppy fund campaign, including:
 - i. the purchase and predetermined storage costs of poppies and wreaths;
 - ii. the purchase and predetermined storage costs of promotional aids;
 - iii. the purchasing and predetermined storage costs of canvassing supplies;
 - iv. reasonable expenses of poppy committee members and poppy chairmen;
 - v. reasonable campaign advertising expenses; and
 - vi. telephone, telegraph, postage and stationery expenses.

1105. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches may allot not more than fifty percent of the balance in a poppy trust account, except in the case of a registered veterans' organization whose aims and objectives are for providing accommodation or care facilities for veterans and dependants, on the thirtieth (30th) day of September in the year preceding the allotment for the purchase, construction, reconstruction, maintenance, renewal, repair, furnishing or refurnishing of housing accommodation or care facilities for elderly or disabled persons and their dependants.

NOTE: It is a condition of any such allotment of poppy funds that, prior to any Poppy Campaign in which such funds are collected, notice was given to the public that a portion of the monies then collected might be used for such purposes.

It is a further mandatory condition of any such allotment of poppy funds that provision shall have been made for ex-service personnel and their dependants to receive priority in the use of such housing accommodation or care facilities.

1106. The Command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or a group of branches, may expend a portion of the monies in its Poppy Trust account, not exceeding fifty percent of the total available in the account on the date prior approval is requested preceding the expenditure for the following purposes:
- a. medical training and medical research directed to geriatric support, or for community medical appliances which will assist the care of veterans;
 - b. support of drop-in centres for the elderly or support of meals on wheels services only as long as these provide known support of veterans in the community;
 - c. donations for relief of disasters declared by the federal or provincial governments;
 - d. transportation for veterans as necessary for medical appointments and for compassionate reasons; and
 - e. to cover the cost of installation, maintenance and repair to personal lifting devices in branches for the purposes of assisting persons with disabilities.
1107. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may expend a portion of the monies in its poppy trust account, not exceeding twenty-five percent of the total available in the account on the date prior approval is requested preceding the expenditure, for the purpose of assisting ex-service personnel of Commonwealth countries or allied countries and their dependants, in necessitous circumstances, who are residing outside Canada. Notice prior to the collection must be given to the public that monies collected thereafter may be so expended.
1108. A Command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may, for the purpose of maintaining and preserving local monuments

to veterans, expend a portion of the monies in its poppy trust account, not exceeding twenty-five percent of the total available in the account on the thirtieth (30th) day of September in the year preceding the expenditure, provided that the allocated twenty-five percent does not exceed fifty percent of the total funds required to maintain and preserve local monuments for which the funds are allocated.

1109. A Command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may, for the purpose of supporting Cadet units which have assisted with the Poppy Campaign, expend a portion of the monies in its poppy trust account, not exceeding ten percent of the total available in the account on the thirtieth (30th) day of September in the year preceding the expenditure.
1110. A command, or subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may sponsor a visit to one or more branches for veterans, who may or may not be Legion members, to offer a meal and camaraderie. For this purpose poppy funds may be expended in accordance with the restrictions published in the Poppy Manual provided that alcoholic beverages may not be included in such expenses.
1111. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches may, for the purpose of conducting the Call to Remembrance program, expend a portion of the monies in its poppy trust account, not exceeding ten percent of the total available in the account on the thirtieth (30th) day of September in the year preceding the expenditure.
1112. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches may, for the purpose of acquiring a coin sorting/counting/wrapping machine to assist with the Poppy Campaign, expend a portion of the monies in its poppy trust account not exceeding 10 percent the cost of the machine.

CENTRAL FUND

1113.

- a. Each Provincial Command shall establish a Central Provincial Poppy Trust Fund from which sums may be made available to branches whose Poppy Trust Funds are depleted, and to which contributions may be made by Districts, Zones, Branches or groups of branches whose Poppy Trust Funds are in excess of their requirements.
- b. Dominion Command shall establish a Central Dominion Command Poppy Trust Fund.
- c. A command may transfer sums from its central Poppy Trust Fund to the central Poppy Trust Fund of another command.

FISCAL YEAR

NOTE: As stated in Section 130.b. of these By-Laws, the Poppy Fiscal Year begins 1 October and ends 30 September of the following year.

**DOMINION COMMAND
POPPY MANUAL
EXTRACTS**

**I HAVE INCLUDED HERE THE DO'S, DON'T AND
CONTROL OF POPPY TRUST FUNDS CHAPTERS AS
THESE ARE PROBABLY THE MOST REFERRED TO
SECTIONS.**

CHAPTER 4

THE DO'S OF POPPY TRUST FUNDS

401. Poppy Funds are made available through the generosity of the Canadian public and consequently they are part of the public trust between Canadians and the Legion. As a consequence of this bond, Poppy Funds are held in trust at each level of the organization and may be used for the following purposes and only these purposes:
- a. the basic purpose and obligations of the Poppy Trust Fund are to assist the following persons:
 - i. Canadian ex-service personnel and their dependants who are in need of assistance;
 - ii. Canadian ex-service personnel who have served on Class "C" reserve service and their dependants who are in need of assistance;

Class "C" reserve service is defined in the Queen's Regulations and Orders for the Canadian Forces as " a member of the Reserve Force is on Class "C" Reserve Service when the member is on full-time service and, with the approval of the Chief of Defence Staff, is serving in a Regular Force establishment position or is supernumerary to a Regular Force establishment";
 - iii. Merchant Navy personnel who are eligible for and who have been awarded campaign stars or decorations, and their dependants who are in need of assistance;
 - iv. ex-service personnel of Commonwealth countries who are resident in Canada, and their dependants who are in need of assistance; and
 - v. ex-service personnel of allied countries who are resident in Canada, and their dependants who are in need of assistance.

Note: The funds may only be used for emergency assistance, which is defined as shelter, food, fuel, clothing, prescription medicine and necessary transportation. Assistance cannot be continued over an extended period but may be offered more than once to an individual.

- b. the promotion of Remembrance of the sacrifices of veterans;
- c. funding of the Two Minutes Wave of Silence program at all levels of the Legion;
- d. reasonable expenses of the Branch Service Officer that are directly related to service work;
- e. the award of bursaries to students who are children or grandchildren of any of the personnel as identified in Section 401.a. who are in need of assistance. Bursaries may be awarded at any stage of a college or university program;

Poppy Trust Funds may also be donated to a centralized Command bursary fund;

Note: A bursary is given for need, unlike a scholarship, which is awarded for scholastic achievement.

- f. the purchase of Poppies, Wreaths, canvassing supplies and promotional material for the annual Poppy Campaign;
- g. predetermined storage costs for Poppies, Wreaths, canvassing supplies and promotional material (refer to your Provincial Command for guidance on rental space and compensation limitations);
- h. reasonable local administrative costs associated with the Poppy Campaign. These local costs are those directly related to the campaign, defined as telephone charges, coin wrappers, postage, stationary, advertising, bank charges and soft refreshments and light lunches for canvassers and/or volunteers, defined as coffee, juice, soup, sandwiches or donuts. Other administrative costs of a similar nature may be considered;
- i. distribution of Poppy and Remembrance material, as authorized by Dominion Command to be used in schools;
- j. reimbursement of reasonable expenses incurred by the Poppy and Remembrance Chairman or, if required his/her replacement to attend Poppy and Remembrance seminars;
- k. reasonable expenses incurred for the required external audit of Command/Branch Poppy Trust Funds. For branches that

do not have an external audit but pay a bookkeeping agency to maintain the branch accounts, Poppy Trust Funds are authorized for this service but are limited to the percentage of work attributed to the Poppy Trust Fund account only and not on other or general accounts;

- l. prizes for Literary and Poster contests; and
- m. comforts for ex-service personnel and their widows/widowers who are hospitalized, in long term care facilities, in a nursing home or who are incapacitated and are being cared for at home. These comforts are defined as food items (confectioneries, fruits, sweets, etc.), reading material, flowers, personal toiletry items, writing materials, postage and short-term TV rental. Other costs of a similar nature may be considered.

Note: For those veterans who are confined in a facility for a long period of time (over one month) other special items of personal comfort (such as a special blanket/comforter) may be considered. The provision of a TV and/or cable service to a veteran's wing may also be considered.

SPECIAL USE EXPENDITURES

402. It is a condition of any such special use expenditures of Poppy Trust Funds that, prior to any Poppy Campaign in which such funds might be collected, notice be given to the public that a portion of the monies then collected might be used for such purposes.

It is a further mandatory condition of any such special use expenditures that provision shall have been made for ex-service personnel and their dependants to receive priority in the use of such housing accommodations or care facilities.

- a. subject to prior approval by Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50 percent of the balance in a Poppy Trust Fund on September 30 in the Poppy year preceding the expenditure, to purchase, construct, repair or furnish housing accommodation and care facilities, including hospital wards/rooms for elderly or disabled persons. The 50 percent limit does not apply to a registered veteran's organization whose aims and objectives

- are for providing accommodation or care facilities for veterans and dependants;
- b. subject to prior approval by Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 25 percent of the balance in a Poppy Trust Fund on the date prior approval is requested in the Poppy year preceding the expenditure, for the purpose of assisting ex-service personnel of Commonwealth or allied countries and their dependants who are resident outside of Canada and are in need;
 - c. subject to prior approval by Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50 percent of the total available in a Poppy Trust Fund on the date prior approval is requested preceding the expenditure for the following purposes:
 - i. medical training and medical research directed to geriatric support, or for community medical appliances such as "jaws of life", photo imaging cameras and defibrillators which will assist the care of veterans;
 - ii. support of drop-in centres for the elderly and support of meals on wheels services only as long as these provide known support of veterans in the community;
 - iii. donations for relief of disasters declared by the federal or provincial governments; and
 - iv. transportation of veterans as necessary for medical appointments and/or compassionate reasons.
 - d. subject to prior approval by Provincial Command, branches may make an allotment up to 25 percent of the balance in a Poppy Trust Fund account on September 30 in the year preceding the expenditure provided that the 25 percent does not exceed 50 percent of the total funds required to maintain and preserve local monuments to veterans. The other 50 percent must be provided by the community or another organization;
 - e. subject to prior approval by Provincial Command, a branch may make an allotment up to 10 percent of the balance in

a Poppy Trust Fund account on September 30 in the year preceding the expenditure to support Cadet Units that have assisted the branch with the Poppy Campaign;

Note: Cadet units are defined as Sea Cadets, Army Cadets, Air Cadets and Navy League Cadets.

- f. subject to prior approval by Provincial Command, Poppy Trust Funds may be used once a year to provide an annual visit to branches both for veterans who are Legion members and those veterans in the local community, to offer a meal and camaraderie. The Poppy Trust Funds may be used to cover the cost of the meal only and must not include the cost of any alcoholic beverages or other services, such as entertainment;

Furthermore, subject to prior approval by Provincial Command, Poppy Trust Funds may be used once a year to cover the cost of reasonable transportation expenses to transport the local veterans to the local branch; and

- g. subject to prior approval by Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50 percent of the balance in a Poppy Trust Fund on September 30 in the Poppy year preceding the expenditure, to cover the cost of installation, maintenance and repair to personal lifting devices installed in branches for the purpose of assisting persons with disabilities.

Note: Special use expenditures described above: The commitment of Poppy Trust Funds for these special use expenditures are subject to the following conditions:

- i. the Provincial Command's prior approval shall be requested in writing. The request is to contain – the amount, the intended recipient(s), the amount of funds held in trust at the time the request is made, the purpose of the request and the date of the General meeting at which the decision to request approval was taken;
- ii. prior to any Poppy and Remembrance Campaign during which funds for these purposes will be collected, notice must be given to the public that a portion of the funds collected may be used for the above purposes; and

- iii. Poppy Trust Funds may be donated to Provincial Command Charitable Foundations provided they are organized for the purposes outlined above.
 - h. subject to prior approval by Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 10 percent of the balance in a Poppy Trust Fund on September 30 in the Poppy year preceding the expenditure for the purpose of supporting the Call to Remembrance program.
 - i. subject to prior approval by Provincial Command, Poppy Trust Funds may be used to purchase a coin counting/sorting/wrapping machine for use in supporting the annual Poppy Campaign. Approved funds will be limited to a maximum of 10 percent of the cost of the machine.
403. As stated at the beginning of this chapter, Poppy Trust Funds are made available through the generosity of the Canadian public and consequently they are part of the public trust between Canadians and the Legion. A sure and certain way to lose public support and the credibility of the Legion is to use the funds in an incorrect or improper manner. In order to ensure that such circumstances do not occur, a list of prohibitions follows, however, **should a circumstance arise that is not addressed, advice from Provincial Command must be sought.**

CHAPTER 5

THE DON'TS OF POPPY TRUST FUNDS

501. The following expenditures are not authorized:

- a. assistance to associate members unless these persons are residing with their parents, they are wholly dependent upon them for support and they are not receiving welfare assistance, a pension from any government source, or funds from employment insurance, or similar government program. In short there are few, if any, associate members who meet this criteria;
- b. assistance to affiliate members;
- c. expenses incurred for Remembrance Day ceremonies and Decoration Day ceremonies;
- d. the purchase of floral tributes or Wreaths for deceased veterans or their families;
- e. payment for funerals or miscellaneous funeral home expenses;
- f. the payment for the service of a bugler/piper at the funeral of ex-service personnel;
- g. lunches or refreshments related to the funeral of ex-service personnel;
- h. hot meals and alcohol-based beverages for Poppy Campaign organizers, workers and volunteers;
- i. the purchase of cemetery plots, flag-poles and accessories;
- j. the purchase of headstones, grave markers, memorial plaques for cenotaphs and honour roll plaques for schools;
- k. the payment of property taxes for veterans;
- l. the money for death benefit funds at branches;
- m. home care , housekeeping services or grounds keeping, such as grass cutting, leaf raking, snow removal, etc.;

- n. recreational pursuits and bus tours for veterans;
- o. donations to community events, schools, youth groups, public speaking events or Legion oriented programs;
- p. the purchase of equipment for showing Remembrance films;
- q. the provision of loans;
- r. the funding of scholarships;
- s. any expenses incurred at conventions;
- t. renovations of any sort to branch premises except as outlined in Section 402.g.;
- u. the purchase of Wreaths and Poppies used at Remembrance and Decoration Day services;
- v. general or non-specific donations to charities, be they registered or not, that do not meet the criteria listed in Sections 401 or 402 of the preceding chapter;
- w. the installation of public address systems at cenotaphs;
- x. the purchase of comforts for senior citizens in hospitals or nursing homes; and
- y. public service projects such as donations to churches, memorial funds, recreational facilities, furnishings and non-medical equipment for hospital wards/rooms.

To conclude the discussion addressing the list of prohibitions outlined above, the expenditure of Poppy Trust Funds on any of these activities is prohibited.