

Capital Expenditure Total
Level of Completion Indicators



0%
20%
40%
60%
80%
100%
Over 100%

Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

% of
Completion

Level of completion indicator, please see table at the end of this note for further detail.

| | Account Description | Adopted | | | Variance (Under)/Over |
|------|-----------------------------|--------------------------------|------------------|----------------|--------------------------|
| | | Budget | YTD Budget | YTD Actual | |
| 63% | Infrastructure - Other | Water Management Project | 101,933 | 0 | 0 |
| | Infrastructure - Other | Tennis Court Redevelopment | 500,000 | 0 | 0 |
| | Buildings - non-specialised | Oval P&G Storage | 7,000 | 0 | 0 |
| | Buildings - non-specialised | Railway Barracks | 0 | 0 | 5,576 |
| | Infrastructure - Roads | R2R - Hobden Road | 126,223 | 97,841 | 79,192 |
| | Infrastructure - Roads | R2R Martin Road Floodyway | 79,160 | 0 | 0 |
| | Infrastructure - Roads | Tammin-Wyalkatchem Road | 117,400 | 0 | 0 |
| 0% | Infrastructure - Roads | RRG-Cunderdin-Wyalkatchem Road | 318,701 | 32,151 | 100 |
| | Infrastructure - Roads | R2R-Cunderdin Rd | 75,854 | 0 | 0 |
| | Infrastructure - Roads | CRC Carpark Reseal | 16,872 | 0 | 0 |
| 108% | Infrastructure - Roads | Deiperres Road | 58,564 | 58,564 | 63,025 |
| | Infrastructure - Footpaths | Pathway Solar Lights | 7,609 | 0 | 0 |
| | Infrastructure - Other | Main Street Redevelopment | 90,000 | 0 | 0 |
| | Furniture and equipment | Admin Phone Upgrade | 7,000 | 0 | 0 |
| | Plant and equipment | CEO Vehicle | 65,000 | 0 | 0 |
| | Plant and equipment | LH Town Utility | 40,000 | 0 | 0 |
| | Plant and equipment | Plant Trailer | 20,000 | 0 | 0 |
| | Plant and equipment | Town Trailer | 3,000 | 0 | 0 |
| 9% | Grand Total | | 1,634,315 | 188,556 | 147,893 |
| | | | | | (40,663) |

Repayments - Borrowings

| Information on Borrowings Particulars | 1 July 2019 | New Loans | | Principal Repayments | | Principal Outstanding | | Interest Repayments | |
|--|-------------|-----------|--------|----------------------|--------|-----------------------|---------|---------------------|--------|
| | | Actual | Budget | Actual | Budget | Actual | Budget | Actual | Budget |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Housing | | | | | | | | | |
| Loan 68 - 43/45 Wilson | 127,022 | | | 10,854 | 22,083 | 116,168 | 104,939 | 4,378 | 8,382 |
| Economic services | | | | | | | | | |
| Loan 73 - CRC Building | 110,910 | | | 10,030 | 20,282 | 100,880 | 90,628 | 2,857 | 4,747 |
| | 237,932 | 0 | 0 | 20,884 | 42,365 | 217,048 | 195,568 | 7,235 | 13,129 |
| Total | 237,932 | 0 | 0 | 20,884 | 42,365 | 217,048 | 195,568 | 7,235 | 13,129 |
| Current borrowings | 42,365 | | | | | 21,481 | | | |
| Non-current borrowings | 195,567 | | | | | 195,567 | | | |
| | 237,932 | | | | | 217,048 | | | |

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings

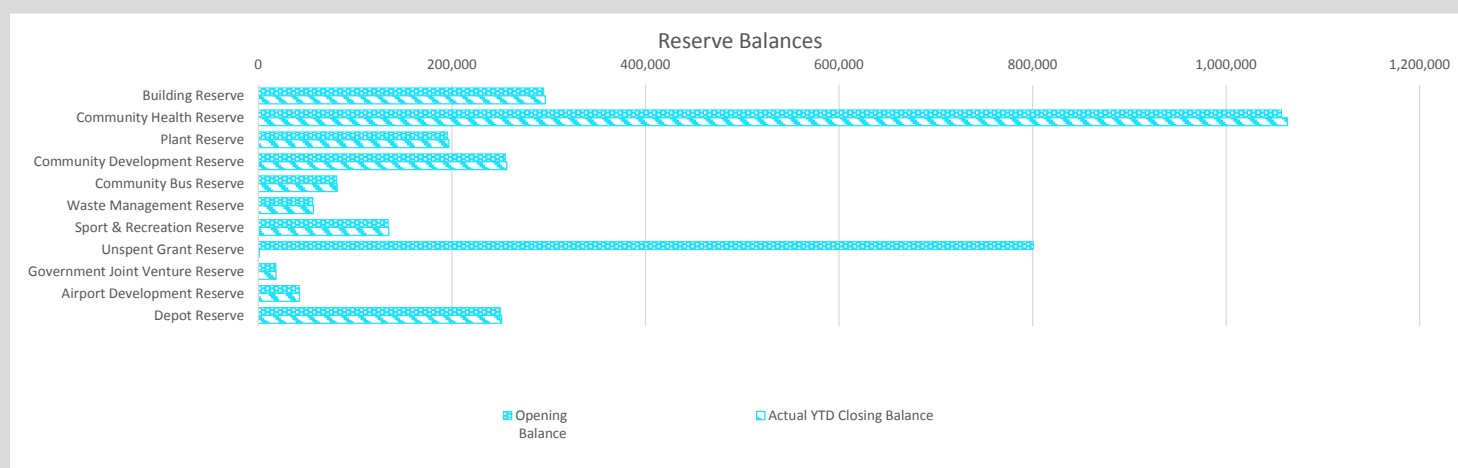
| | Actual | Budget |
|------------|--------|--------|
| Borrowings | 20,884 | 42,365 |

| | |
|-----------------------------|-----------------|
| Principal Repayments | \$20,884 |
| Interest Earned | \$19,333 |
| Reserves Bal | \$2.4 M |
| Interest Expense | \$7,235 |
| Loans Due | \$0.22 M |

Cash Backed Reserve

| Reserve Name | Opening Balance | Budget Interest Earned | Actual Interest Earned | Budget Transfers In (+) | Actual Transfers In (+) | Budget Transfers Out (-) | Actual Transfers Out (-) | Budget Closing Balance | Actual YTD Closing Balance |
|----------------------------------|------------------|------------------------|------------------------|-------------------------|-------------------------|--------------------------|--------------------------|------------------------|----------------------------|
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Building Reserve | 294,814 | 7,749 | 1,718 | 0 | 0 | (50,000) | 0 | 252,563 | 296,532 |
| Community Health Reserve | 1,057,222 | 28,782 | 6,162 | 0 | 0 | (28,000) | 0 | 1,058,004 | 1,063,384 |
| Plant Reserve | 195,636 | 5,349 | 1,140 | 7,138 | 0 | 0 | 0 | 208,123 | 196,776 |
| Community Development Reserve | 255,207 | 7,541 | 1,488 | 69,931 | 0 | (50,000) | 0 | 282,679 | 256,695 |
| Community Bus Reserve | 81,003 | 2,215 | 472 | 8,000 | 0 | 0 | 0 | 91,218 | 81,475 |
| Waste Management Reserve | 56,435 | 1,668 | 329 | 10,000 | 0 | 0 | 0 | 68,103 | 56,764 |
| Sport & Recreation Reserve | 134,026 | 1,989 | 781 | 0 | 0 | (134,000) | 0 | 2,015 | 134,807 |
| Unspent Grant Reserve | 800,928 | 1,701 | 893 | 0 | 0 | (802,629) | (800,928) | (0) | 893 |
| Government Joint Venture Reserve | 18,148 | 465 | 106 | 0 | 0 | (5,000) | 0 | 13,613 | 18,254 |
| Airport Development Reserve | 42,310 | 1,157 | 247 | 0 | 0 | 0 | 0 | 43,467 | 42,557 |
| Depot Reserve | 250,000 | 9,658 | 1,457 | 150,000 | 0 | 0 | 0 | 409,658 | 251,457 |
| | 3,185,729 | 68,274 | 14,793 | 245,069 | 0 | (1,069,629) | (800,928) | 2,429,443 | 2,399,594 |

KEY INFORMATION



| Other Current Liabilities | Note | Opening Balance 1 July 2019 | Liability Increase | Liability Reduction | Closing Balance 31 Oct 19 |
|-----------------------------|------|-----------------------------------|-----------------------|------------------------|---------------------------------|
| | | \$ | \$ | \$ | \$ |
| Provisions | | | | | |
| Annual leave | | 43,621 | 0 | 0 | 43,621 |
| Contract Liabilities | | | | | |
| Lease liability | | 0 | | | 0 |

A breakdown of contract liabilities and associated movements is provided on the followign pages at 11(a) and 11(b)

KEY INFORMATION

PROVISIONS

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

EMPLOYEE BENEFITS

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

NOTE 12(a)

OPERATING GRANTS AND CONTRIBUTIONS

| Provider | Unspent Operating Grant, Subsidies and Contributions Liability | | | | | Unspent Operating Grants, Subsidies and Contributions Revenue | | | | | |
|---|--|-----------------------------|--|---------------------|--------------------------------|---|----------------|------------------|----------------------|------------------|-----------------------|
| | Liability 1-Jul | Increase in Liability | Liability Reduction (As revenue) | Liability 30-Jun | Current Liability 30-Jun | Adopted Budget Revenue | YTD Budget | Annual Budget | Budget Variations | Expected | YTD Revenue Actual |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Operating Grants and Subsidies | | | | | | | | | | | |
| General purpose funding | | | | | | | | | | | |
| Financial Assistance Grant - General | 552,419 | | | 552,419 | | 552,419 | 138,105 | 552,419 | | 552,419 | 141,314 |
| Financial Assistance Grant - Roads | 248,509 | | | 248,509 | | 248,509 | 62,127 | 248,509 | | 248,509 | 52,452 |
| Law, order, public safety | | | | | | | | | | | |
| ESL- Bushfire Brigade - Operating Grant | 8,831 | | | 8,831 | | 23,280 | | 23,280 | | 23,280 | 9,390 |
| Recreation and culture | | | | | | | | | | | |
| Wylie Fair Grants | 0 | | | | | 13,000 | | 13,000 | | 13,000 | 0 |
| Transport | | | | | | | | | | | |
| Roads Direct Grant | 0 | | | | | 108,046 | 108,046 | 108,046 | | 108,046 | 108,046 |
| | 809,759 | 0 | 0 | 809,759 | 0 | 945,254 | 308,278 | 945,254 | 0 | 945,254 | 311,201 |
| Operating Contributions | | | | | | | | | | | |
| General purpose funding | | | | | | | | | | | |
| Reimbursement of Debt Collection Costs | 0 | | | | | 3,500 | | 3,500 | | 3,500 | 0 |
| Law, order, public safety | | | | | | | | | | | |
| ESL- Bushfire Brigade - Admin Fee | 0 | | | | | 4,000 | | 4,000 | | 4,000 | 4,000 |
| Health | | | | | | | | | | | |
| Medical Services Contribution | 0 | | | | | 42,146 | | 42,146 | | 42,146 | 12 |
| Recreation and culture | | | | | | | | | | | |
| Swimming Pool Reimbursement | 0 | | | | | 200 | | 200 | | 200 | 0 |
| Kidsports | 0 | | | | | 1,000 | | 1,000 | | 1,000 | 0 |
| Wylie Fair Income | 0 | | | | | 1,300 | | 1,300 | | 1,300 | 0 |
| Transport | | | | | | | | | | | |
| Light Subsidy | 0 | | | | | 1,500 | | 1,500 | | 1,500 | 0 |
| Other property and services | | | | | | | | | | | |
| Admin - Records training Reimbursement | 0 | | | | | 5,471 | 5,471 | 5,471 | | 5,471 | 5,529 |
| Diesel Fuel Rebate Income | 0 | | | | | 15,000 | 3,750 | 15,000 | | 15,000 | 3,275 |
| Parental Leave Reimbursement | 0 | | | | | 13,331 | 8,887 | 13,331 | | 13,331 | 9,931 |
| | 0 | 0 | 0 | 0 | 0 | 87,448 | 18,108 | 87,448 | 0 | 87,448 | 22,746 |
| TOTALS | 809,759 | 0 | 0 | 809,759 | 0 | 1,032,702 | 326,386 | 1,032,702 | 0 | 1,032,702 | 333,948 |

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019

NOTE 12(b)

NON-OPERATING GRANTS AND CONTRIBUTIONS

| Provider | Unspent Non Operating Grants, Subsidies and Contributions Liability | | | | | Non Operating Grants, Subsidies and Contributions Revenue | | | | | |
|--|---|-----------------------------|--|---------------------|--------------------------------|---|---------------|------------------|----------------------|----------|------------------------------|
| | Liability 1-Jul | Increase in Liability | Liability Reduction (As revenue) | Liability 30-Jun | Current Liability 30-Jun | Adopted Budget Revenue | YTD Budget | Annual Budget | Budget Variations | Expected | YTD Revenue Actual (b) |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Non-Operating Grants and Subsidies | | | | | | | | | | | |
| Community amenities | | | | | | | | | | | |
| Community Water Supply Fundinfg | 0 | | | | | 68,000 | | 68,000 | | 68,000 | 0 |
| Recreation and culture | | | | | | | | | | | |
| CSRRF - Tennis Court redevelopment | 0 | | | | | 166,666 | | 166,666 | | 166,666 | 0 |
| Transport | | | | | | | | | | | |
| Regional Road Group Funding | 0 | | | | | 285,800 | 114,320 | 285,800 | | 285,800 | 126,025 |
| Roads to Recovery Funding | 0 | | | | | 282,834 | | 282,834 | | 282,834 | 0 |
| Economic services | | | | | | | | | | | |
| Main Street Redevelopment funding | 0 | | | | | 25,000 | | 25,000 | | 25,000 | 0 |
| | 0 | 0 | 0 | 0 | 0 | 828,300 | 114,320 | 828,300 | 0 | 828,300 | 126,025 |
| Non-Operating Contributions | | | | | | | | | | | |
| Recreation and culture | | | | | | | | | | | |
| Community donations - tennis court | 0 | | | | | 166,666 | | 166,666 | | 166,666 | 0 |
| | 0 | 0 | 0 | 0 | 0 | 166,666 | 0 | 166,666 | 0 | 166,666 | 0 |
| Total Non-operating grants, subsidies and contributions | 0 | 0 | 0 | 0 | 0 | 994,966 | 114,320 | 994,966 | 0 | 994,966 | 126,025 |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 13
TRUST FUND**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

| Description | Opening Balance 1 July 2019 | Amount Received | Amount Paid | Closing Balance 31 Oct 2019 |
|------------------------------|-----------------------------------|--------------------|----------------|-----------------------------------|
| | \$ | \$ | \$ | \$ |
| Key, Halls & Equipment Bonds | 795 | 215 | 0 | 1,010 |
| Unclaimed Monies | 2,810 | 0 | 0 | 2,810 |
| Rose & Heritage Fund | 2,651 | 0 | 0 | 2,651 |
| BSL | 0 | 170 | (113) | 57 |
| Councillor Nomination Fee | 0 | 160 | 0 | 160 |
| Housing Bond | 0 | 100 | 0 | 100 |
| | 6,256 | 646 | (113) | 6,788 |

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019

NOTE 13
BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

| GL Code | Description | Council Resolution | Classification | Non Cash Adjustment | Increase in Available Cash | Decrease in Available Cash | Amended Budget Running Balance |
|-----------------|-------------|--------------------|-----------------|------------------------|-------------------------------|-------------------------------|--------------------------------------|
| | | | | \$ | \$ | \$ | \$ |
| Budget Adoption | | | Opening Surplus | | | | (0) |
| | | | | | | | (0) |
| | | | | 0 | 0 | 0 | |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 14
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2019-20 year is \$10,000 or 10.00% whichever is the greater.

| Reporting Program | Var. \$ | Var. % | Timing/ Permanent | Explanation of Variance |
|---|----------|----------|-------------------|--|
| | \$ | % | | |
| Revenue from operating activities | | | | |
| Health | (10,525) | (99.89%) | ▼ Timing | Pending Koorda Medical Reimbursement |
| Housing | (10,766) | (38.85%) | ▼ Timing | Pending raising of tenancy invoices |
| Community Amenities | 10,500 | 11.05% | ▲ Permanent | Increase in Rubbish Service charges |
| Expenditure from operating activities | | | | |
| Governance | (30,309) | (27.25%) | ▼ Timing | Vairance in Admin Allocation |
| Health | (25,373) | (51.58%) | ▼ Timing | Koorda Medical Service reimbursement pending |
| Housing | (12,912) | (30.64%) | ▼ Timing | Pending Insurance Instalments |
| Community Amenities | (15,094) | (31.09%) | ▼ Timing | Pending Insurance Instalments |
| Recreation and Culture | (23,415) | (14.53%) | ▼ Timing | Pending Insurance Instalments |
| Investing Activities | | | | |
| Non-operating Grants, Subsidies and Contributions | 11,705 | 10.24% | ▲ Timing | Increase in RRG Claim |
| Capital Acquisitions | 40,663 | 21.57% | ▲ | Timing of commencement of Works, and Dieperres over budget |





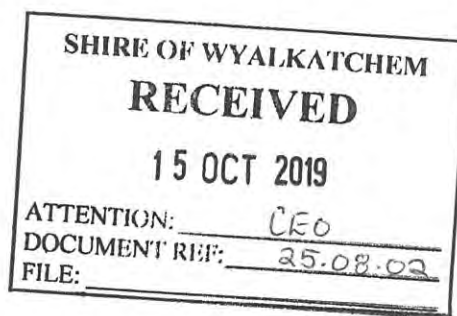
RSLWA

THE RETURNED & SERVICES LEAGUE OF AUSTRALIA
WA BRANCH INCORPORATED

08 October 2019

Rates Section
Shire of Wyalkatchem
PO Box 224
Wyalkatchem WA 6485

Attachment 10.1.4.1 - RSLWA Rate
Exemption Application



RATES EXEMPTION APPLICATION 44 WILSON ST WYALKATCHEM WA 6485 ASSESSMENT NUMBER A121

As per Section 6.26 of the Local Government Act, we respectfully request a rates exemption in regard to The Returned & Services League of Australia WA Branch Incorporated ("RSLWA") property situated at 44 Wilson St Wyalkatchem WA 6485 Assessment Number A121.

RSLWA is the registered owner of the land and the Wyalkatchem RSL Sub-Branch occupies the property located thereon.

RSLWA is a Not for Profit organisation with a membership base of approximately 10,000 members consisting of current and ex-serving defence personnel who have served a minimum of 6 months, plus affiliated persons.

RSLWA provides:

- assistance, care and welfare to serving and ex serving members and their dependants
- support and assistance to current serving members to transition to civilian life
- advocacy services to assist serving and ex serving members secure compensation and benefits they are eligible for
- preservation of the memory, honour and records of those who suffered and died for their country while serving in the Australian Defence Force

We provide a copy of the following documents to support our request:

1. Certificate of Title
2. Certificate of Incorporation
3. ACNC Registration
4. ATO Notice of Endorsement Charity Tax Concessions
5. ATO Notice of Endorsement as Deductible Gift Recipient status
6. RSLWA Charitable Collections Licence 17953
7. RSLWA Constitution
8. Audited Financial Report for RSLWA for Financial Year End 31 December 2018

We trust the information and documentation provided meets Council's requirements for consideration however, should further information be required please do not hesitate to contact me.

Yours faithfully,

Peter McGlade
Chief Financial Officer

"THE PRICE OF LIBERTY IS ETERNAL VIGILANCE"

State President: Peter Aspinall AM | Chief Executive Officer: John McCourt JP

PO Box 3023, EAST PERTH WA 6892 | Level 3, 66 St Georges Terrace, PERTH WA 6000

T: (08) 9287 3799 | Fax: (08) 9287 3732 | WA Country Callers: 1800 259 799 | E: admin@rslwa.org.au | W: www.rslwa.org.au

ABN: 59 263 172 184 | Charitable Collections Licence No: 17953



WESTERN



AUSTRALIA

| | |
|---------------------------------------|-------------------------------------|
| REGISTER NUMBER 26/DP223232 | |
| DUPLICATE EDITION N/A | DATE DUPLICATE ISSUED N/A |

RECORD OF CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
671FOLIO
41

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 26 ON DEPOSITED PLAN 223232

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

THE RETURNED SERVICES LEAGUE OF AUSTRALIA WA BRANCH INC OF ANZAC HOUSE, ST. GEORGE'S TERRACE, PERTH

(T T15568/1946) REGISTERED 1/11/1946

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. CROWN GRANT CONTAINS A PROVISIO AGAINST THE SALE OF INTOXICATING LIQUOR SEE VOL 671 FOL 41.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 671-41 (26/DP223232)
PREVIOUS TITLE: 671-41
PROPERTY STREET ADDRESS: LOT 26 WILSON ST, WYALKATCHEM.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF WYALKATCHEM

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF WYALKATCHEM TOWN LOT/LOT 26 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 26 ON DEPOSITED PLAN 223232 ON 22-JUL-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.

NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.



Government of Western Australia
Department of Commerce

WESTERN AUSTRALIA

Associations Incorporation Act 1987
(Section 18(6))

Registered No: A0190005H

Certificate of Incorporation On Change of Name

This is to certify that

**THE RETURNED AND SERVICES LEAGUE OF AUSTRALIA WA BRANCH
INCORPORATED**

which was on the twenty first day of May 1919
incorporated under the *Associations Incorporation Act 1987*
changed its name to:

**THE RETURNED & SERVICES LEAGUE OF AUSTRALIA WA BRANCH
INCORPORATED**

on this twelfth day of January 2012

Commissioner for Consumer Protection

I certify that this is a true copy of the original
document which has been sighted by me.

PETER C. McGLADE B.Bus, CPA 803670



Australian
Charities and
Not-for-profits
Commission



THIS CERTIFIES THAT

The Returned & Services League Of Australia Wa Branch Incorporated

ABN: 59263172184

IS A REGISTERED CHARITY
AND HAS BEEN TRANSFERRED FROM THE

Australian Taxation Office

TO THE

Australian Charities and Not-for-profits Commission

ON THE DATE OF

03/12/2012

CERTIFIED BY

Hon. Dr Gary Johns
Commissioner

Australian Charities and Not-for-profits Commission

Copy only. Original available on request





14 November 2017

Notice of endorsement for charity tax concessions

This endorsement notice has been issued to:

| | |
|----------------------------|---|
| Name | THE RETURNED & SERVICES LEAGUE OF AUSTRALIA WA BRANCH INCORPORATED |
| Australian business number | 59 263 172 184 |

THE RETURNED & SERVICES LEAGUE OF AUSTRALIA WA BRANCH INCORPORATED a registered public benevolent institution, is endorsed to access the following tax concessions from the dates shown:

Income tax exemption from **1 July 2000** under Subdivision 50-B of the *Income Tax Assessment Act 1997*.

GST concessions from **1 July 2005** under Division 176 of *A New Tax System (Goods and Services Tax) Act 1999*.

FBT exemption from **15 July 2017** under section 123C of the *Fringe Benefits Tax Assessment Act 1986*.

As an endorsed public benevolent institution, benefits your organisation provides to its employees are exempt from FBT where the total grossed-up value of certain fringe benefits for each employee during the FBT year is \$30,000 or less.

If the grossed-up value of benefits received by the employees of your organisation exceeds this threshold, your organisation is liable for FBT on the excess amount.

Reportable fringe benefits

If the value of certain fringe benefits provided to your organisation's employees exceeds \$2,000 in an FBT year, your organisation is required to record the grossed-up taxable value of those benefits on its employee's payment summary for the corresponding income year. This requirement applies even if your organisation is not liable to pay FBT.

Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abr.business.gov.au

Your organisation must notify us in writing if it ceases to be entitled to endorsement.

Chris Jordan
Commissioner of Taxation
Registrar of the Australian Business Register



Australian Government
Australian Taxation Office



049

THE RETURNED & SERVICES LEAGUE OF
AUSTRALIA WA BRANCH INCORPORATED
PO BOX 3023
EAST PERTH WA 6892

Our reference: 7106470389626
Phone: 1300 130 248
ABN: 59 263 172 184

14 November 2017

Your organisation is endorsed as a deductible gift recipient

Dear Sir/Madam

We have endorsed your organisation as a deductible gift recipient and enclose your *Notice of endorsement as a deductible gift recipient*.

This endorsement enables your organisation to receive gifts which are tax deductible to donors.

The following details will appear on the Australian Business Register:

- your organisation's endorsement as a deductible gift recipient
- the date or period of effect.

You can view the details at www.abr.business.gov.au

If your organisation has also applied for other endorsements, you will receive separate notification.

What you need to do

Your endorsement was based on the information you gave us. Your organisation should regularly review its endorsement as a deductible gift recipient. We recommend a yearly review. If there are any changes (for example, to governing rules, structure or operations) and you are no longer entitled to endorsement, you must notify us before or as soon as possible after the event.

For more information

You can find out more about your non-profit entitlements, obligations and how to subscribe to regular updates on our website, www.ato.gov.au/non-profit. If you have any questions about matters specific to non-profit organisations, please phone us on **1300 130 248** between 8.00am and 6.00pm, Monday to Friday.

What you need if you phone us

We need to know we are talking to the right person before we can discuss your tax affairs. We will ask for details only you or someone you have authorised would know. An authorised contact is someone who you have previously told us can act on your behalf. It will help if you quote 'Our reference' which you will find at the top of the letter. If you can, please have your Australian business number with you.

Yours faithfully

William Day
Deputy Commissioner of Taxation



14 November 2017

Notice of endorsement as a deductible gift recipient

Endorsement as a deductible gift recipient under Subdivision 30-BA of the *Income Tax Assessment Act 1997* is provided as detailed below.

| | |
|--|---|
| Name | THE RETURNED & SERVICES LEAGUE OF AUSTRALIA WA BRANCH INCORPORATED |
| Australian business number | 59 263 172 184 |
| Endorsement date of effect | 15 July 2017 |
| Provision for gift deductibility | Item 1 of the table in section 30-15 of the <i>Income Tax Assessment Act 1997</i> |
| Item(s) in Subdivision 30-B of the Income Tax Assessment Act 1997 | 4.1.1 registered public benevolent institution |

Your organisation's endorsement as a deductible gift recipient together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abr.business.gov.au

Your organisation must notify us in writing if it ceases to be entitled to endorsement.

Chris Jordan
Commissioner of Taxation and
Registrar of the Australian Business Register



CHARITABLE COLLECTIONS LICENCE

CHARITABLE COLLECTIONS ACT 1946
(SECTION 12)

LICENCE NO. CC 17953

This is to certify that, in accordance with the provisions of the *Charitable Collections Act 1946*, a licence has been granted to **The Returned & Services League of Australia WA Branch Incorporated**, a charitable organisation, to collect money or goods for the objects of the organisation being a charitable purpose.

Conditions

- (a) This licence is valid to **11 February 2020**.
- (b) An appeal for support of a charitable purpose is to be authorised by the governing body of the charitable organisation or by a person authorised by the governing body to act on their behalf.
- (c) Collectors participating in an appeal should be issued, and display, an identification badge which is consecutively numbered. The badge should indicate the name of the collectors, the name of the charitable organisation and specify the period the authority shall remain in force. The collector shall present the Authority when making the appeal.
- (d) No person under the age of sixteen years (16) shall act or be permitted to act as a collector without the approval of the Minister or their delegate.
- (e) Collectors must give receipts for all monies received and goods sold. The receipts are to be consecutively numbered and bear the name and address of the organisation for which the appeal is being made.
- (f) Collecting boxes are to bear the name of the charitable organisation for which the appeal is being made.

Given under my hand at Perth this 19th day of January 2017

DAVID HILLYARD
A/COMMISSIONER FOR CONSUMER PROTECTION

I certify that this is a true copy of the original document which has been sighted by

PETER C. McGLADE B.Bus, CPA 803670

NEXT



RSLWA

**The Returned & Services League of Australia
WA Branch Incorporated
ABN 59 263 172 184**

ANNUAL FINANCIAL REPORT

For the year ended 31 December 2018

The Returned & Services League of Australia WA Branch Incorporated

For the year ended 31 December 2018

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General Information

The financial report covers The Returned & Services League of Australia WA Branch Incorporated as an individual entity. The financial report is presented in Australian dollars, which is The Returned & Services League of Australia WA Branch Incorporated's functional and presentation currency.

The financial report consists of the financial statements, notes to the financial statements and the Directors' declaration.

The financial report was authorised for issue on 2 May 2019.

The Returned & Services League of Australia WA Branch Incorporated

Statement of profit or loss and other comprehensive income For the year ended 31 December 2018

| | Note | Year-end 31-Dec 2018 \$ | Year-end 31-Dec 2017 \$ |
|--|------------|----------------------------------|----------------------------------|
| Operational items | | | |
| Revenue | 5 | 4,064,291 | 3,578,485 |
| Cost of sales | | (93,298) | - |
| Advertising and promotion | | (39,921) | (727) |
| Payments to sub-branches and national HQ | | (189,126) | (164,241) |
| Employee benefits expenditure | | (1,685,848) | (1,284,505) |
| Depreciation and amortisation | | (10,575) | (8,867) |
| Legal, consultants and contractors | | (49,682) | (126,448) |
| Operating lease and rental | | (504,762) | (449,344) |
| Travel | | (112,345) | (112,365) |
| ANZAC day activities (grant-funded) | 6 | (775,523) | (1,006,314) |
| Decommissioning expense- ANZAC House | | (27,099) | (81,612) |
| Finance costs (interest, bank & investment fees) | | (266,965) | (58,617) |
| Other | | (941,197) | (806,633) |
| Operational (deficit) before income tax expense | | (632,050) | (521,188) |
| Non-operating items | | | |
| Loss on the revaluation of financial assets at fair value through profit or loss | 3(b), 4 | (2,610,271) | - |
| Impairment of investment property held for sale | 3(g) | (59,000) | - |
| Income tax expense | | - | - |
| (Deficit) after income tax expense attributable to members of the branch | | (3,301,321) | (521,188) |
| Other comprehensive income | | | |
| <i>Items that may be reclassified subsequently to profit or loss</i> | | | |
| Gain on the revaluation of available-for-sale financial assets | | - | 733,045 |
| Total comprehensive income for the year, net of tax | | - | 733,045 |
| Total comprehensive (loss) /income attributable to members of the branch | | (3,301,321) | 211,857 |

This statement of profit or loss and other comprehensive income is to be read in conjunction with the notes accompanying the financial statements.

The Returned & Services League of Australia WA Branch Incorporated

Statement of financial position

As at 31 December 2018

| | Note | 31-Dec 2018 \$ | 31-Dec 2017 \$ |
|---------------------------------------|------|----------------------|----------------------|
| ASSETS | | | |
| Current assets | | | |
| Cash and cash equivalents | 7 | 11,177,959 | 4,532,731 |
| Trade and other receivables | 8 | 251,524 | 160,366 |
| Financial assets | 9 | 5,027,690 | 12,304,362 |
| Inventories | | 14,374 | 59,296 |
| Other assets | | 10,000 | - |
| Investment properties - held for sale | 11 | 572,399 | - |
| Total current assets | | 17,053,946 | 17,056,755 |
| Non-current assets | | | |
| Financial assets | 9 | 35,596,556 | 41,213,715 |
| Property, plant and equipment | 10 | 12,838,137 | 10,056,919 |
| Investment properties | 11 | - | 631,399 |
| Total non-current assets | | 48,434,693 | 51,902,033 |
| TOTAL ASSETS | | 65,488,639 | 68,958,788 |
| LIABILITIES | | | |
| Current liabilities | | | |
| Trade and other payables | 12 | 396,319 | 388,949 |
| Provisions | 13 | 170,383 | 520,070 |
| Other liabilities | 14 | 495,378 | 350,697 |
| Total current liabilities | | 1,062,080 | 1,259,716 |
| Non-current liabilities | | | |
| Provisions | 13 | 22,920 | - |
| Other liabilities | 14 | 53,824 | 47,936 |
| Total non-current liabilities | | 76,744 | 47,936 |
| TOTAL LIABILITIES | | 1,138,824 | 1,307,652 |
| NET ASSETS | | 64,349,815 | 67,651,136 |
| MEMBERS' EQUITY | | | |
| Reserves | 17 | 491,406 | 1,169,754 |
| Retained earnings | | 63,858,409 | 66,481,382 |
| TOTAL MEMBERS' EQUITY | | 64,349,815 | 67,651,136 |

This statement of financial position is to be read in conjunction with the notes accompanying the financial statements.

The Returned & Services League of Australia WA Branch Incorporated

Statement of changes in equity

For the year ended 31 December 2018

| | Note | Retained earnings | Welfare reserve | Bequest reserve/ specific | Assets Revaluation reserve | Total |
|---|------|--------------------|-----------------|------------------------------|----------------------------|--------------------|
| | | \$ | \$ | \$ | | \$ |
| 31 December 2017 | | | | | | |
| Balance at 1 January 2017 | | 67,256,176 | 108,949 | 74,154 | - | 67,439,279 |
| Deficit after income tax expense for the period | | (521,188) | - | - | - | (521,188) |
| Transfer to reserves | | (253,606) | 253,606 | - | - | - |
| Other comprehensive income for the period, net of tax | | - | - | - | 733,045 | 733,045 |
| Total comprehensive income | | (774,794) | 253,606 | - | 733,045 | 211,857 |
| Balance at 31 December 2017 | | 66,481,382 | 362,555 | 74,154 | 733,045 | 67,651,136 |
| 31 December 2018 | | | | | | |
| Balance at 1 January 2018 | | 66,481,382 | 362,555 | 74,154 | 733,045 | 67,651,136 |
| Change in accounting policy | 4 | 733,045 | - | - | (733,045) | - |
| Restated balance at 1 January 2018 | | 67,214,427 | 362,555 | 74,154 | - | 67,651,136 |
| Deficit after income tax expense for the period | | (3,301,321) | - | - | - | (3,301,321) |
| Transfer to reserves | 17 | (54,697) | 54,697 | - | - | - |
| Other comprehensive income for the period, net of tax | | - | - | - | - | - |
| Total comprehensive income | | (3,356,018) | 54,697 | 74,154 | - | (3,301,321) |
| Balance at 31 December 2018 | | 63,858,409 | 417,252 | 74,154 | - | 64,349,815 |

This statement of changes in equity is to be read in conjunction with the notes accompanying the financial statements.

The Returned & Services League of Australia WA Branch Incorporated

Statement of cash flows For the year ended 31 December 2018

| | Note | Year-end 31-Dec 2018 \$ | Year-end 31-Dec 2017 \$ |
|---|------|----------------------------------|----------------------------------|
| Cash flows from operating activities | | | |
| Receipts from customers | | 114,391 | 80,610 |
| Grants received | | 1,165,521 | 1,218,370 |
| Donations/fundraising/other received | | 382,380 | 494,941 |
| Membership received | | 348,409 | 362,193 |
| Interest and other costs of finance paid | | (246,904) | (34,447) |
| | | <u>1,763,797</u> | <u>2,121,667</u> |
| Payments to suppliers and employees | | (4,626,452) | (4,380,022) |
| Net cash used in operating activities | 15 | <u>(2,862,655)</u> | <u>(2,258,355)</u> |
| Cash flow from investing activities | | | |
| Purchase of property, plant and equipment | | (2,811,765) | (2,088,301) |
| Purchase of investment property | | - | (631,399) |
| Proceeds from sale of property, plant and equipment | | 13,181 | - |
| Proceeds from loans receivable | | - | 14,630 |
| Purchases of available for sale financial assets | | - | (40,000,000) |
| Net cash applied to financial assets at fair value through profit of loss | | 3,044,643 | - |
| Net cash applied to financial assets at amortised cost | | 7,238,917 | 25,561,560 |
| Interest received | | 367,890 | 1,433,477 |
| Dividends and distributions received | | 1,655,017 | 35,949 |
| Net cash provided/ (used in) by investing activities | | <u>9,507,883</u> | <u>(15,674,084)</u> |
| Cash flow from financing activities | | - | - |
| Net cash from financing activities | | <u>-</u> | <u>-</u> |
| Net increase in cash and cash equivalents | | <u>6,645,228</u> | <u>(17,932,439)</u> |
| Cash and cash equivalents at the beginning of the year | | <u>4,532,731</u> | <u>22,465,170</u> |
| Cash and cash equivalents at the end of the year | 7 | <u><u>11,177,959</u></u> | <u><u>4,532,731</u></u> |

This statement of cash flows is to be read in conjunction with the notes accompanying the financial statement

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

1. Reporting entity

The Returned & Services League of Australia WA Branch Incorporated ('RSLWA') is an association incorporated in Western Australia. The registered office is at Level 3, 66 St George's Terrace, Perth, Western Australia. These financial statements of the RSLWA are for the year ending 31 December 2018.

The RSLWA's primary purpose is to provide for the well-being, care, compensation and commemoration of serving and ex-serving Defence Force Personnel and their dependants.

2. Basis of preparation

(a) Statement of compliance

The financial report is a general purpose financial report which has been prepared in accordance with Australian Accounting Standards (AASBs) – Reduced Disclosure Requirements (including Australian Accounting Interpretations), the RSLWA's rules, the *Associations Incorporation Act 2015*, *Charitable Collections Act (1946) (WA)*, and the *Australian Charities and Not-for-profits Commission Act 2012*.

Australian Accounting Standards set out accounting policies that the AASB has concluded would result in financial statements containing relevant and reliable information about transactions, events and conditions to which they apply. The following is a summary of the material accounting policies adopted by the RSLWA in the preparation of these financial statements. The accounting policies have been consistently applied unless otherwise stated.

These financial statements are not consolidated accounts, that is, they do not include the financial assets and liabilities of Sub-Branches.

(b) Basis of measurement

The financial statements have been prepared on an accruals basis and are based on historical costs.

(c) Critical accounting estimates

The preparation of the financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the RSLWA accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are disclosed in note 3 (n).

3. Significant accounting policies

The accounting policies set out below have been applied consistently to all periods presented in these financial statements.

(a) Cash and cash equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with financial institutions and other short-term highly liquid investments with general maturities of three months or less after the reporting date that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts that are repayable on demand and form an integral part of the RSLWA's cash management are included as a component of cash and cash equivalents for the purpose of the statement of cash flows.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(b) Investments and other financial assets

Policy applicable from 1 January 2018

Investments and other financial assets are initially measured at fair value. Transaction costs are included as part of the initial measurement, except for financial assets at fair value through profit or loss. Such assets are subsequently measured at either amortised cost or fair value depending on their classification. Classification is determined based on both the business model within which such assets are held and the contractual cash flow characteristics of the financial asset unless, an accounting mismatch is being avoided.

Financial assets are derecognised when the rights to receive cash flows have expired or have been transferred and the League has transferred substantially all the risks and rewards of ownership. When there is no reasonable expectation of recovering part or all of a financial asset, its carrying value is written off.

Financial assets at fair value through profit or loss

Financial assets not measured at amortised cost or at fair value through other comprehensive income are classified as financial assets at fair value through profit or loss. Typically, such financial assets will be either: (i) held for trading, where they are acquired for the purpose of selling in the short-term with an intention of making a profit, or a derivative; or (ii) designated as such upon initial recognition where permitted. Fair value movements are recognised in profit or loss.

Policy applicable to 31 December 2017

Investments and other financial assets are initially measured at fair value. Transaction costs are included as part of the initial measurement except for financial assets at fair value through profit or loss. Such assets are subsequently measured at either amortised cost or fair value depending on their classification. Classification is determined based on both the business model within which such assets are held and the contractual cash flow characteristics of the financial asset unless an accounting mismatch is being avoided.

Financial assets are de-recognised when the rights to receive cash flows have expired or have been transferred and the RSLWA has transferred substantially all the risks and rewards of ownership. When there is no reasonable expectation of recovering part or all of a financial asset its carrying value is written off.

Financial assets at fair value through other comprehensive income

Financial assets at fair value through other comprehensive income include equity investments which the RSLWA intends to hold for the foreseeable future and has irrevocably elected to classify them as such upon initial recognition.

(c) Trade and other receivables

Other receivables are recognised at amortised cost, less any provision for impairment.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(d) Property, plant and equipment

Recognition and measurement

Items of property, plant and equipment are measured at cost less accumulated depreciation and impairment losses.

Cost includes expenditures that are directly attributable to the acquisition of the asset. The cost of self-constructed assets includes the cost of materials and direct labour; any other costs directly attributable to bringing the asset to a working condition for its intended use; and the costs of dismantling and removing the items and restoring the site on which they are located. Purchased software that is integral to the functionality of the related equipment is capitalised as part of that equipment.

When parts of an item of plant and equipment have different useful lives, they are accounted for as separate items (major components) of plant and equipment.

Gains and losses on disposal of an item of plant and equipment are determined by comparing the proceeds from disposal with the carrying amount of property, plant and equipment and are recognised within "other income" in profit or loss. When revalued assets are sold, the amounts included in the revaluation reserve are transferred to retained earnings.

Subsequent costs

The cost of replacing part of an item of plant and equipment is recognised in the carrying amount of the item if it is probable that the future economic benefits embodied within the part will flow to the RSLWA and its cost can be measured reliably. The costs of the day-to-day servicing of plant and equipment are recognised in profit or loss as incurred.

Leasehold land

Leasehold land represents the RSLWA's interests in pastoral leases. The RSLWA considers these rights to be indefinite unless otherwise noted. Leasehold land is recorded at cost and is not depreciated unless the life of the right to the lease is considered to be fixed. In this case, the leasehold land is depreciated over the term of the lease on a straight-line basis.

Depreciation

Depreciation is recognised in the Statement of profit or loss and other comprehensive income on a straight-line basis over the estimated useful lives of each part of an item of property, plant and equipment. Leased assets are depreciated over the shorter of the lease term and their useful lives, unless it is reasonably certain that the RSLWA will obtain ownership or extension of the lease by the end of the lease term. Land is not depreciated.

The estimated useful lives for the current and comparative periods are as follows:

- Leasehold improvements 5 to 25 years
- Furniture and equipment 3 to 20 years
- Mobile plant and vehicles 5 to 10 years
- Computing equipment 2 to 5 years

Depreciation methods, useful lives and residual values are reassessed at the reporting date.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(d) Property, plant and equipment (continued)

Land and properties owned by RSLWA

RSLWA owns a number of properties acquired over time by various means including Government Crown leases subsequently converted to freehold title, bequests and direct purchase.

These assets are stated at historical cost less accumulated depreciation in accordance with the significant accounting policies stated at Note 3(d). Title Deeds to the properties are held by RSLWA and relevant details maintained on a Register.

Accordingly, it has been determined that the total value of the Sub-branch properties be reflected in the Statement of Financial Position at 'Nil' Value. The appropriate value of a Sub-Branch property will be brought to account at the time of sale / disposal.

In November 2016, the Government and RSLWA executed a Heads of Agreement for the returned ownership of the land on which ANZAC House is situated back to RSLWA. The land acquisition has been reflected in the Statement of Financial Position at a deemed cost equivalent to its fair value as at the date of acquisition.

(e) Investment Properties

Investment properties principally comprise of freehold land and buildings held for long-term rental and capital appreciation that are not occupied by RSLWA. Investment properties are initially recognised at cost, including transaction costs, and are subsequently remeasured annually at fair value. Movements in fair value are recognised directly to profit or loss.

Investment properties are derecognised when disposed of or when there is no future economic benefit expected.

Transfers to and from investment properties to property, plant and equipment are determined by a change in use of owner-occupation. The fair value on the date of change of use from investment properties to property, plant and equipment are used as deemed cost for the subsequent accounting. The existing carrying amount of property, plant and equipment is used for the subsequent accounting cost of investment properties on the date of change of use.

(f) Current and non-current classification

Assets and liabilities are presented in the statement of financial position based on current and non-current classification.

An asset is classified as current when: it is either expected to be realised or intended to be sold or consumed in normal operating cycle; it is held primarily for the purpose of trading; it is expected to be realised within 12 months after the reporting period; or the asset is cash or cash equivalent unless restricted from being exchanged or used to settle a liability for at least 12 months after the reporting period. All other assets are classified as non-current.

A liability is classified as current when: it is either expected to be settled in normal operating cycle; it is held primarily for the purpose of trading; it is due to be settled within 12 months after the reporting period; or there is no unconditional right to defer the settlement of the liability for at least 12 months after the reporting period. All other liabilities are classified as non-current.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(g) Impairment

The carrying amounts of the RSLWA's assets are reviewed at each reporting date to determine whether there is any indication of impairment. If any such indication exists, the asset's recoverable amount is estimated.

Policy applicable from 1 January 2018

Financial assets

RSLWA recognises a loss allowance for expected credit losses on financial assets which are either measured at amortised cost or fair value through other comprehensive income. The measurement of the loss allowance depends upon the League's assessment at the end of each reporting period as to whether the financial instrument's credit risk has increased significantly since initial recognition, based on reasonable and supportable information that is available, without undue cost or effort to obtain.

Where there has not been a significant increase in exposure to credit risk since initial recognition, a 12-month expected credit loss allowance is estimated. This represents a portion of the asset's lifetime expected credit losses that is attributable to a default event that is possible within the next 12 months. Where a financial asset has become credit impaired or where it is determined that credit risk has increased significantly, the loss allowance is based on the asset's lifetime expected credit losses. The amount of expected credit loss recognised is measured on the basis of the probability weighted present value of anticipated cash shortfalls over the life of the instrument discounted at the original effective interest rate.

Policy applicable to 31 December 2017

Financial assets

The RSLWA assesses at the end of each reporting period whether there is any objective evidence that a financial asset or group of financial assets is impaired. Objective evidence includes significant financial difficulty of the issuer or obligor; a breach of contract such as default or delinquency in payments; the lender granting to a borrower concessions due to economic or legal reasons that the lender would not otherwise do; it becomes probable that the borrower will enter bankruptcy or other financial reorganisation; the disappearance of an active market for the financial asset; or observable data indicating that there is a measurable decrease in estimated future cash flows.

The amount of the impairment allowance for financial assets carried at cost is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the current market rate of return for similar financial assets.

Available-for-sale financial assets are considered impaired when there has been a significant or prolonged decline in value below initial cost. Subsequent increments in value are recognised in other comprehensive income through the available-for-sale reserve.

Non-financial assets

The carrying amounts of the RSLWA's non-financial assets are reviewed at each reporting date to determine whether there is any indication of impairment. If any such indication exists then the asset's recoverable amount is estimated.

An impairment loss is recognised if the carrying amount of an asset exceeds its recoverable amount. Impairment losses are recognised in the Statement of Comprehensive Income.

The recoverable amount of an asset is the greater of its value in use and its fair value (less costs to sell). In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(g) Impairment (continued)

Impairment losses recognised in prior periods are assessed at each reporting date for any indications that the loss has decreased or no longer exists. An impairment loss is reversed if there has been a change in the estimates used to determine the recoverable amount. An impairment loss is reversed only to the extent that the asset's carrying amount does not exceed the carrying amount that would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised.

(h) Provisions

Provisions are recognised when the RSLWA has a present (legal or constructive) obligation as a result of a past event, it is probable the RSLWA will be required to settle the obligation, and a reliable estimate can be made of the amount of the obligation. The amount recognised as a provision is the best estimate of the consideration required to settle the present obligation at the reporting date, taking into account the risks and uncertainties surrounding the obligation. If the time value of money is material, provisions are discounted using a current pre-tax rate specific to the liability. The increase in the provision resulting from the passage of time is recognised as a finance cost.

(i) Employee benefits

Short-term benefits

Liabilities for wages and salaries, including non-monetary benefits, annual leave and long service leave expected to be settled within 12 months of the reporting date are recognised in current liabilities in respect of employees' services up to the reporting date and are measured at the amounts expected to be paid when the liabilities are settled.

Other long-term employee benefits

The liability for annual leave and long service leave not expected to be settled within 12 months of the reporting date are recognised in non-current liabilities, provided there is an unconditional right to defer settlement of the liability.

The liability is measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

Defined contribution superannuation expense

Contributions to defined contribution superannuation plans are expensed in the period in which they are incurred.

(j) Fair Value Measurements

When an asset or liability, financial or non-financial, is measured at fair value for recognition or disclosure purposes, the fair value is based on the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date; and assumes that the transaction will take place either: in the principal market; or in the absence of a principal market, in the most advantageous market.

Fair value is measured using the assumptions that market participants would use when pricing the asset or liability, assuming they act in their economic best interests. For non-financial assets, the fair value measurement is based on its highest and best use. Valuation techniques that are appropriate in the circumstances and for which sufficient data are available to measure fair value, are used, maximising the use of relevant observable inputs and minimising the use of unobservable inputs.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(k) Trade and other payables

These amounts represent liabilities for goods and services provided to the RSLWA prior to the end of the financial year and which are unpaid. Due to their short-term nature they are measured at amortised cost and are not discounted. The amounts are unsecured and are usually paid within 30 days of recognition.

(l) Revenue

Sales revenue

Sales are recognised when received or receivable.

Donations, gifts and government grants

Donations, gifts and government grants are recognised in the Statement of Comprehensive Income when the RSLWA obtains control of the contribution or the right to receive it and it is probable that the contribution will flow to the entity and the amount can be measured reliably. Income on donations received 'in kind' is recognised at the fair value of the donation.

(k) Revenue

Membership revenue

Membership revenue is recognised on receipt for the current financial year. Membership paid in advance is recognised as such and is brought to account at the relevant time.

Interest revenue

Interest revenue is recognised as interest accrues using the effective interest method. This is a method of calculating the amortised cost of a financial asset and allocating the interest income over the relevant period using the effective interest rate, which is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset to the net carrying amount of the financial asset.

Contributed assets

Assets contributed or donated to RSLWA are recognised as revenue when received and are measured at fair value.

Other revenue

Other revenue is recognised when it is received or when the right to receive payment is established.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(l) **Income tax**

The RSLWA is a charitable institution and is exempt from income tax under Division 50 of the Income Tax Assessment Act.

(m) **Goods and services tax**

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the taxation authority. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated with the amount of GST excluded. The net amount of GST recoverable from, or payable to, the ATO is included as a current asset or liability in the balance sheet.

Cash flows are included in the statement of cash flows on a gross basis. The GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

Commitments and contingencies are disclosed net of GST.

(n) **Critical accounting judgements, estimates and assumptions**

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the reported amounts in the financial statements. Management continually evaluates its judgements and estimates in relation to assets, liabilities, contingent liabilities, revenue and expenses.

Management bases its judgements, estimates and assumptions on historical experience and on other various factors, including expectations of future events, management believes to be reasonable under the circumstances. The resulting accounting judgements and estimates will seldom equal the related actual results. The judgements, estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities (refer to the respective notes) within the next financial year are discussed below.

Estimation of useful lives of assets

The incorporated association determines the estimated useful lives and related depreciation and amortisation charges for its property, plant and equipment and finite life intangible assets. The useful lives could change significantly as a result of technical innovations or some other event. The depreciation and amortisation charge will increase where the useful lives are less than previously estimated lives, or technically obsolete or non-strategic assets that have been abandoned or sold will be written off or written down.

Employee benefits provision

As discussed in note 3(i), the liability for employee benefits expected to be settled more than 12 months from the reporting date are recognised and measured at the present value of the estimated future cash flows to be made in respect of all employees at the reporting date. In determining the present value of the liability, estimates of attrition rates and pay increases through promotion and inflation have been taken into account.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

(o) Critical accounting judgements, estimates and assumptions (continued)

Provision for decommissioning

A provision had been made in 2017 for the present value of anticipated expense for the decommissioning of ANZAC House. The RSLWA recognised management's best estimate for the decommissioning expense in the period in which they incurred. The decommissioning was completed in early 2018.

4. New, revised or amending accounting standards and interpretations adopted

RSLWA has adopted all of the new or amended Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB') that are mandatory for the current reporting period.

Any new or amended Accounting Standards or Interpretations that are not yet mandatory have not been early adopted.

The following Accounting Standards and Interpretations are most relevant to RSLWA:

AASB 9 Financial Instruments

RSLWA has adopted AASB 9 Financial Instruments (issued in July 2014) with the mandatory initial application date of 1 January 2018. The requirements of AASB 9 represents a significant change from AASB 139 Financial Instruments: Recognition and Measurement.

The nature and effect of the key changes to the RSLWA's accounting policies resulting from its adoption of AASB 9 is summarised below.

Classification of financial assets and financial liabilities

AASB 9 contains three principal classification categories for financial assets: measure at amortised costs, Fair value through other comprehensive income (FVTOCI) and Fair value through profit or loss (FVTPL).

AASB 9 eliminates the previous AASB 139 categories of held to maturity, loans and receivables and available for sale financial assets.

For an explanation of how the RSLWA classifies and measures the financial assets and accounts for related gains and losses under AASB 9, see note 1 (b)

The adoption of AASB 9 has not had a significant effect on the RSLWA's accounting policies for its financial liabilities.

Transition

Changes in accounting policies resulting from the adoption of AASB 9 (2014) have been applied retrospectively where applicable, except as described below.

The following assessments have been made on the basis of the facts and circumstances that existed at the date of initial application being 1 January 2018.

- The election not to designate certain investments in equity instruments which are not held for trading, as at FVTOCI

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

4. New, revised or amending accounting standards and interpretations adopted (continued)

Classification of financial assets and financial liabilities on the date of initial application of AASB 9
The following table shows the original measurement categories under AASB 139 and the new measurement categories under AASB 9 for each class of the RSLWA's financial assets and financial liabilities as at 1 January 2018.

| | Note | Original classification under AASB 139 | New classification under AASB 9 | Original carrying amount under AASB 139 | New carrying amount under AASB 9 |
|----------------------------------|------|--|---|---|----------------------------------|
| Financial Assets | | | | | |
| Cash and cash equivalents | 7 | Cash and Cash Equivalents | Amortised cost | 4,532,731 | 4,532,731 |
| Trade and other receivables | 8 | Loans and receivables | Amortised cost | 160,366 | 160,366 |
| Financial assets (Term deposits) | 9 | Held-to-maturity | Amortised cost | 13,170,061 | 13,170,061 |
| Financial assets (Listed shares) | 9 | Available for sale financial assets | Fair value through profit or loss (FVTPL) (a) | 27,858,642 | 27,858,642 |
| Financial assets (Managed funds) | 9 | Available for sale financial assets | Fair value through profit or loss (FVTPL) | 11,097,134 | 11,097,134 |
| Financial Liabilities | | | | | |
| Trade and other payables | 12 | Other financial liability | Other financial liability | 388,949 | 388,949 |

- (a) These equity securities represent investments that the RSLWA holds for the long term for strategic purposes. As permitted by AASB 9 the RSLWA has not designated these investments at the date of initial application as measured at FVTOCI, as a result they have been classified as FVTPL.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

5. Revenue

| | Year-end 31-Dec 2018 \$ | Year-end 31-Dec 2017 \$ |
|---|----------------------------------|----------------------------------|
| Sales | 54,463 | 58,070 |
| Membership subscriptions | 287,934 | 299,368 |
| Grants (tied) | (a) 1,194,899 | 1,218,370 |
| Donations, sponsorship, bequests and un-tied grants | 382,380 | 390,496 |
| Interest received on investments | 400,293 | 1,347,146 |
| Dividends and distributions from investments | 1,655,017 | 135,612 |
| Movement in inventories | - | 25,397 |
| Other | 89,305 | 104,026 |
| | 4,064,291 | 3,578,485 |

(a) Grant funding was approved/provided for the following major projects:

| | \$ | \$ |
|--|------------------|------------------|
| - ANZAC Day Activities (Lotterywest) | 775,523 | 991,949 |
| - ANZAC Centenary Commemoration (Lotterywest) | 226,170 | - |
| - BEST Grant (Department Veterans' Affairs) | 42,460 | 87,671 |
| - ANZAC Day Trust Grants | 135,000 | 110,000 |
| - Other (Lotterywest / DVA re Sub-Branches, Welfare etc) | 15,746 | 28,750 |
| | 1,194,899 | 1,218,370 |

6. ANZAC day activities (grant-funded)

Lotterywest approved grant funding towards ANZAC Day 2018 activities of the Perth Dawn Service, Perth March and Commemorative Services, Perth Gunfire Breakfast, Regional Sub-Branch Gunfire Breakfasts, Regional Commemorations and Communications and Project / Event Management. The total grant approval was for \$849,498, of which \$775,523 was claimed. The Lotterywest ANZAC Day 2018 Grant acquitted was lodged in August 2018.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

7. Cash and cash equivalents

| | 31-Dec 2018 | 31-Dec 2017 |
|--|-------------------|------------------|
| | \$ | \$ |
| Cash on hand | 1,722 | 2,300 |
| Bank balances | 125,321 | 215,691 |
| Call or online saver account/s | 6,093,622 | 1,718,036 |
| Morgan Stanley cash management account | 15,137 | 413,655 |
| Term deposits - strategic investment fund | 4,942,157 | 2,183,049 |
| Cash and cash equivalents in statement of cash flows | 11,177,959 | 4,532,731 |

As at 31 December 2018, the 'Call or online saver account/s' balance of \$6,093,622 comprised the online saver and online divestment (RACA) accounts which held redeemed term deposits/accumulated funds. These account/s earn interest rate/s of 0.60% - 1.40% in the short term.

The 'Term deposits – strategic investment fund' have been invested for periods of 4 to 9 months at interest rates ranging between 2.70% and 2.78% but which mature within 3 months of the reporting date. As term deposits are renewed, interest rates may be lower than previously obtained given the current investment market.

8. Trade and other receivables

| | 31-Dec 2018 | 31-Dec 2017 |
|-----------------------------|----------------|----------------|
| | \$ | \$ |
| Trade and other receivables | 251,524 | 160,366 |
| | 251,524 | 160,366 |

9. Financial assets

| | 31-Dec 2018 | 31-Dec 2017 |
|--|-------------------|-------------------|
| | \$ | \$ |
| Current | | |
| Held at amortised cost | | |
| Term deposits - strategic investment fund | 4,629,762 | 11,906,434 |
| Term deposits - bank guarantee | 397,928 | 397,928 |
| | 5,027,690 | 12,304,362 |
| Non-current | | |
| Held at amortised cost | | |
| Term deposits - Bequest funds' investments | 849,630 | 826,488 |
| Term deposits - Funds held in trust from closed sub-branches | 53,824 | 39,211 |
| | 903,454 | 865,699 |
| Held at fair value through profit or loss | | |
| Financial assets – listed shares | 19,515,968 | 27,858,642 |
| Financial assets – managed funds | 11,097,134 | 12,489,374 |
| Financial assets – property trusts | 4,080,000 | - |
| | 34,693,102 | 40,348,016 |
| Total | 35,596,556 | 41,213,715 |

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

9. Financial assets (continued)

As at 31 December 2018, the 'Term deposits - strategic investment fund' had been invested for periods of 4 to 6 months at interest rates ranging between 2.65% and 2.80%. As the Term Deposits are renewed, interest rates may be lower than previously obtained given the current investment market. The 'Bequest Fund Investments' and 'Funds held in trust from closed Sub-Branches' were invested in Term Deposits for periods of 12 months at interest rates ranging between 2.70% and 2.85%.

Reconciliation

Reconciliation of the fair values of financial assets held at fair value through profit or loss (2017: Available for sale financial assets) at the beginning and end of the current and previous financial year are set out below:

| | 31-Dec 2018 \$ | 31-Dec 2017 \$ |
|---|----------------------|----------------------|
| Financial assets – listed shares | | |
| Opening fair value | 27,858,642 | - |
| Additions | 20,238,564 | 27,214,971 |
| Disposals | (27,772,118) | - |
| Revaluation (decrements)/ increments | (809,120) | 643,671 |
| Closing fair value | 19,515,968 | 27,858,642 |
| Financial assets – managed funds | | |
| Opening fair value | 12,489,374 | - |
| Additions | 3,102,700 | 12,400,000 |
| Disposals | (3,723,024) | - |
| Revaluation (decrements)/ increments | (771,916) | 89,374 |
| Closing fair value | 11,097,134 | 12,489,374 |
| Financial assets – property trusts | | |
| Opening fair value | - | - |
| Additions | 5,000,000 | - |
| Disposals | - | - |
| Revaluation (decrements) | (920,000) | - |
| Closing fair value | 4,080,000 | - |

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

10. Property, plant and equipment

| | Leasehold land & improvements | Motor vehicles | Computer equipment | Freehold property * | Total |
|---------------------------------|-------------------------------------|-------------------|-----------------------|------------------------|-------------------|
| Cost or deemed cost | | | | | |
| At 1 January 2017 | 4,755 | 69,690 | 171,374 | 7,915,701 | 8,161,520 |
| Acquisitions | 9,250 | - | - | 686,216 | 695,466 |
| Work in progress | - | - | - | 1,392,835 | 1,392,835 |
| Disposals | - | - | - | - | - |
| At 31 December 2017 | 14,005 | 69,690 | 171,374 | 9,994,752 | 10,249,821 |
| At 1 January 2018 | 14,005 | 69,690 | 171,374 | 9,994,752 | 10,249,821 |
| Acquisitions | 1,173 | 25,886 | - | 666,785 | 693,844 |
| Work in progress | - | - | - | 2,117,920 | 2,117,920 |
| Disposals | - | (29,320) | - | - | (29,320) |
| At 31 December 2018 | 15,178 | 66,256 | 171,374 | 12,779,457 | 13,032,265 |
| Accumulated depreciation | | | | | |
| At 1 January 2017 | - | 12,661 | 171,374 | - | 184,035 |
| Depreciation charge | 1,038 | 7,829 | - | - | 8,867 |
| Disposals | - | - | - | - | - |
| At 31 December 2017 | 1,038 | 20,490 | 171,374 | - | 192,902 |
| At 1 January 2018 | 1,038 | 20,490 | 171,374 | - | 192,902 |
| Depreciation charge | 2,989 | 7,586 | - | - | 10,575 |
| Disposals | - | (9,349) | - | - | (9,349) |
| At 31 December 2018 | 4,027 | 18,727 | 171,374 | - | 194,128 |
| Carrying amounts | | | | | |
| At 31 December 2017 | 12,967 | 49,200 | - | 9,994,752 | 10,056,919 |
| At 31 December 2018 | 11,151 | 47,529 | - | 12,779,457 | 12,838,137 |

* Freehold property includes accumulated work in progress (WIP) of \$3,510,755 (2017: \$1,392,835)

RSLWA owns a number of properties acquired over time by various means including Government Crown leases subsequently converted to freehold title, bequests and direct purchase.

These assets are stated at historical cost less accumulated depreciation in accordance with the significant accounting policies stated at Note 3(d). Title Deeds to the properties are held by RSLWA and relevant details maintained on a Register.

Accordingly, it has been determined that the total value of the Sub-Branch properties be reflected in the Statement of Financial Position at 'Nil' Value. The appropriate value of a property will be brought to account at the time of sale / disposal.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

11. Investment properties

| | 31-Dec 2018 \$ | 31-Dec 2017 \$ |
|---|----------------------|----------------------|
| Current | | |
| Investment properties held for sale – 16 Rouse Rd Greenfields | 572,399 | - |
| Non-current | | |
| Investment properties – 16 Rouse Rd Greenfields | - | 631,399 |

Valuation of investment properties held for sale

The basis of the valuation of investment properties is fair value. When an investment property is classified as held for sale it is valued at fair value less cost of disposal, during 2019 \$59,000 of impairment was recognised upon re-classification.

12. Trade and other payables

| | 31-Dec 2018 \$ | 31-Dec 2017 \$ |
|--------------------------|----------------------|----------------------|
| Trade and other payables | 396,319 | 388,949 |
| | 396,319 | 388,949 |

13. Provisions

| | 31-Dec 2018 \$ | 31-Dec 2017 \$ |
|--|----------------------|----------------------|
| Current | | |
| Provision for employee entitlements | 170,383 | 156,245 |
| Provision for decommissioning of ANZAC House | - | 363,825 |
| | 170,383 | 520,070 |
| Non-current | | |
| Provision for employee entitlements | 22,290 | - |

14. Other liabilities

| | 31-Dec 2018 \$ | 31-Dec 2017 \$ |
|--|----------------------|----------------------|
| Current | | |
| Funds held 'in trust' for other ESOs or other purposes | 158,023 | 54,130 |
| WA Aged Sailors Soldiers and Airmen's Relief Fund | 39,885 | 59,572 |
| Membership paid in advance | 297,470 | 236,995 |
| | 495,378 | 350,697 |
| Non-Current | | |
| Funds held 'in trust' for closed Sub-Branches | 53,824 | 47,936 |

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

15. Reconciliation of cash flow from operations with net deficit

| | Year-end 31-Dec 2018 \$ | Year-end 31-Dec 2017 \$ |
|---|----------------------------------|----------------------------------|
| Deficit for the year | (3,301,321) | (521,188) |
| Adjustments for: | | |
| Asset written off | - | - |
| Contributed assets | - | - |
| Decommission costs classified as investing activities | - | - |
| Depreciation | 10,575 | 8,867 |
| Interest income classed as investing activities | (367,890) | (1,433,477) |
| Dividends and distributions classed as investing activities | (1,655,017) | (35,949) |
| Impairment of investment property held for sales | 59,000 | - |
| Loss on disposal of sale of property, plant and equipment | 6,791 | - |
| Loss on revaluation of financial assets at fair value | 2,610,271 | - |
| Adjustments for changes in: | | |
| Trade and other receivables | (91,158) | 9,627 |
| Inventories | 44,922 | (27,895) |
| Other assets | (10,000) | 45,496 |
| Trade and other payables | 157,939 | 226,161 |
| Provisions | (326,767) | (529,997) |
| Net cash used in operating activities | (2,682,655) | (2,258,355) |

16. Key management personnel disclosures

The aggregate compensation made to officers and other members of key management personnel of the RSLWA is set out below:

| | Year-end 31-Dec 2018 \$ | Year-end 31-Dec 2017 \$ |
|------------------------|----------------------------------|----------------------------------|
| Aggregate compensation | 697,180 | 478,236 |

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

17. Equity reserves

Welfare Reserve

As per an Agreement between RSL Australia and Woolworths Limited, funds raised from the Woolworth's Poppy Appeal and ANZAC Appeal in 2018 were to be spent specifically on the welfare of veterans and their dependants. During the year ended 31 December 2018 funds of \$54,697 had been received by the RSLWA for this specific purpose.

Bequest Reserve / Specific

Relates to funds received with certain conditions for which the funds are to be used. Accordingly, to retain the specific purpose nature of the bequest, the funds had been transferred to Bequest Reserves.

Assets Available for Sale Reserve

After initial recognition, fair value movements in held for sale financial assets were recognised in other comprehensive income through the available-for-sale reserve in equity. On 1 January 2018 following the adoption of AASB 9, an adjustment amount of \$733,045 was made to transfer the balance of the reserve to retained earnings.

18. Contingent assets and liabilities

Contingent assets:

The RSLWA had no contingent assets as at 31 December 2018 and 31 December 2017.

Contingent liabilities:

The RSLWA had a bank guarantee of \$397,928 as at 31 December 2018 (2017: \$397,928) in relation to the lease agreement, as disclosed in note 9.

The RSLWA had no other contingent liabilities as at 31 December 2018 and 31 December 2017.

19. Commitments

Lease commitments- operating:

Committed at the reporting date but not recognised as liabilities payable:

Less than one year

Between one and five years

| 31-Dec 2018 | 31-Dec 2017 |
|------------------|------------------|
| \$ | \$ |
| 518,456 | 518,456 |
| 1,629,185 | 1,619,025 |
| 2,147,641 | 2,137,481 |

With the demolition of ANZAC House in 2017 and with the commencement of construction of a new building, RSLWA is committed to the lease of Level 3, 66 St Georges Terrace, Perth for a period of 5 years from 1 November 2016 to 30 October 2021. RSLWA has an early termination option of 30 April 2020.

ANZAC House Construction

Contracts were signed in mid 2018 to commence the construction of ANZAC House with completion anticipated in mid 2020. The Project Budget provides for Early Works, Main Construction, Consultants fees and Fit out costs for \$27 million. As at 31 December 2018 \$3,510,755 has been recognised as work in progress.

The Returned & Services League of Australia WA Branch Incorporated

Notes to the financial statements For the year ended 31 December 2018

20. Related party transactions

Key management personnel

Disclosures relating to key management personnel are set out in note 16.

Transactions with related parties

There were no transactions with related parties during the current financial period and previous financial year.

Receivables from and payables to related parties

There were no trade receivables from or trade payables to related parties at the end of the current financial period and previous financial year.

Loans to / from related parties

There were no other loans to or from related parties at the end of the current financial period and previous financial year.

21. Subsequent events

The RSLWA management has represented that there are no significant subsequent events between the end of the financial period and the date of this report which may significantly impact the results of the operations and the state of affairs of the RSLWA for the financial year.

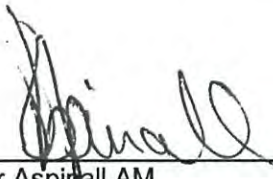
The Returned & Services League of Australia WA Branch Incorporated

Directors' declaration

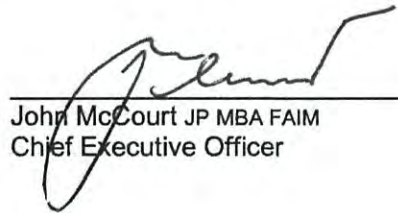
In the opinion of the directors of *The Returned & Services League of Australia WA Branch Incorporated*:

- (a) The financial statements and notes as set out on pages 3 to 23, present a true and fair view of the RSLWA as at 31 December 2018 and its financial performance for the year ended on that date, in accordance with the Australian Accounting Standards- Reduced disclosure requirements, the RSLWA's rules, the Associations Incorporation Act 2015, Charitable Collections Act (1946) (WA), and the Australian Charities and Not-for-profits Commission Act 2012.
- (b) There are reasonable grounds to believe that the RSLWA will be able to pay its debts as and when they become due and payable.

Signed for and on behalf of the Directors by:



Peter Aspinall AM
State President



John McCourt JP MBA FAIM
Chief Executive Officer

Dated at Perth, WA
2 May 2019

RSM Australia Pty Ltd

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AUDITOR'S INDEPENDENCE DECLARATION

As lead auditor for the audit of the financial report of the Returned and Services League of Australia WA Branch Incorporated for the year ended 31 December 2018, I declare that to the best of my knowledge and belief, there have been no contraventions of:

- (i) the auditor independence requirements of the *Australian Charities and Not-for-profits Commissions Act 2012* in relation to the audit; and
- (ii) any applicable code of professional conduct in relation to the audit.

RSM
RSM AUSTRALIA PTY LTD


ALASDAIR WHYTE
Director

Perth, WA
Dated: 2 May 2019

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Liability limited by a scheme approved under Professional Standards Legislation

RSM Australia Pty Ltd

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**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
THE RETURNED AND SERVICES LEAGUE OF AUSTRALIA WA BRANCH (INC)**

Opinion

We have audited the financial report of Returned and Services League of Australia WA Branch Incorporated ("the Association" or "registered entity"), which comprises the statement of financial position as at 31 December 2018, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the directors' declaration.

In our opinion, the financial report of the Association has been prepared in accordance with the Associations constitution, the *Associations Incorporated Act 2015* and Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- (a) giving a true and fair view of the registered entity's financial position as at 31 December 2018 and of its financial performance and cash flows for the year ended on that date; and
- (b) complying with Australian Accounting Standards– Reduced Disclosure Regime and Division 60 of the *Australian Charities and Not-for-profits Commission Regulation 2013*.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards– Reduced Disclosure Regime. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Association in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Report

The board of the registered entity are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards– Reduced Disclosure Regime and the *Australian Charities and Not-for-profits Commission Act 2012* (ACNC Act) and for such internal control as the board determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the board are responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

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Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards– Reduced Disclosure Regime will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf. This description forms part of our auditor's report.

Report on the requirements of the Charitable Collections Act (1946) (WA) and the Charitable Collections Regulations (1947) (WA)**Opinion**

We have audited the financial report of the Association, as required by the *Charitable Collections Act (1946) (WA)* and the *Charitable Collections Regulations (1947) (WA)*.

In our opinion

- a) The financial report of the Association has been properly prepared, and the associated records have been properly kept for the year ended 31 December 2018, in accordance with the *Charitable Collections Act (1946) (WA)* and the *Charitable Collections Regulations (1947) (WA)*; and
- b) Funds received as a result of fundraising activities conducted during the year ended 31 December 2018 have been properly accounted for and applied in accordance with the *Charitable Collections Act (1946) (WA)* and the *Charitable Collections Regulations (1947) (WA)*;

Auditor's Responsibilities

Our procedures included obtaining an understanding of the internal control structure for fundraising appeal activities and examination, on a test basis, of evidence supporting compliance with the accounting and associated record keeping requirements for fundraising activities pursuant to the *Charitable Collections Act (1946) (WA)* and the *Charitable Collections Regulations (1947) (WA)*.

Because of the inherent limitations of any assurance engagement, it is possible that fraud, error or non-compliance may occur and not be detected. An audit is not designed to detect all instances of non-compliance with the requirements described in the above-mentioned Acts and Regulations as an audit is not performed continuously throughout the period and the audit procedures performed in respect of compliance with these requirements are undertaken on a test basis. The audit opinion expressed in this report has been formed on the above basis.

RSM

RSM AUSTRALIA PTY LTD


ALASDAIR WHYTE
Director

Perth, WA
Dated: 2 May 2019

The Returned & Services League of Australia
WA Branch Incorporated

ABN 59 263 172 184

Constitution Rules

*Rewritten January 2018
Amended 7 February 2019*



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|-----|---------------|--|
| 1. | July 2002 | Rewrite |
| 2. | July 2003 | Rewrite |
| 3. | February 2005 | Rewrite |
| 4. | July 2006 | Rule 3.2 k. Financial Year |
| 5. | July 2006 | Rule 21.12 c. Auditor |
| 6. | July 2006 | Rule 31.19 Annual Report, Statement of Income, Expenditure and Balance Sheet |
| 7. | July 2006 | 47.6 - ANZAC Club |
| 8. | July 2007 | Rule 47 - ANZAC Club Rule 36 j - Powers of the State Executive |
| 9. | March 2010 | Rule 27 - Sub Branches Rule 27.11 - Incorporated Sub Branches |
| 10. | November 2011 | Rule 4 – Objects Rule 5 - Powers of the Branch Rule 25 – RACA (delete all detail) |
| 11. | February 2012 | Rule 9.1 – Winding up of the Branch Addition of the words "by special resolution" after the word resolve. |
| 12. | July 2014 | Rule 33 – The State Executive Special Resolution: "That the existing Rule 33 be deleted and Insert the new Rule 33 ." |
| 13. | July 2014 | Rule 37 Special Resolution: "That Rule 37 be deleted." |
| 14. | July 2014 | Rule 38 Special Resolution: "That Rule 38 be deleted." |

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| 15. | July 2014 | <p>Rule 3</p> <p>Special Resolution: "That (i) Delete Rule 3.2 (ii). (ii) Insert a new definition after definition b. as follows: "c. Board means the body constituted under Rule 33." (iii) Amendment to Rule 3.2c by deleting Rule 37 and inserting Rule 33.</p> |
| 16. | July 2014 | <p>"That wherever the words State Executive appear they are to be replaced by the words The Board. Where the words State Executive appear together with the words Board of Directors the words "The State Executive or" shall be deleted."</p> |
| 17. | June 2017 | Rewrite |
| 18. | January 2018 | Rule 6.1 is amended |
| 19. | January 2018 | Rules 6.2 replaced |
| 20. | January 2018 | Insertion of a new Rule 6.3 |
| 21. | January 2018 | Insertion of a new Rule 6.4 |
| 22. | January 2018 | Insertion of new Rule 6.5 |
| 23. | January 2018 | insertion of new Rule 6.6 |
| 24. | June 2018 | Move the relevant By-Laws to the Rules and make amendments to: Rules 7.1 – 7.27, 8.14 – 20, 12.2, 12.7 - 12.10, 14.3, 14.33 and 14.34. |
| 25. | June 2018 | <p>Board of Directors - Rule 14 & Rule 17</p> <p>The 2 currently vacant Board positions, 1 metropolitan and 1 regional, and the position of State Treasurer be removed</p> |
| 26. | June 2018 | <p>Definition of a Member</p> <p>Rule 3.2(s) of Definitions and Interpretation be amended to: Member means a person who has been admitted as class (a) or (b) of the classes of members described in Rule 7.1.</p> |
| 27. | February 2019 | <p>New category of membership - Rule 7.1 ©</p> <p>Interim Service Member</p> |

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| 28. | February 2019 | <u>Remove - State Accountant - Rule 9.8</u> Replace with Chief Financial Officer (CFO) |
| 29. | February 2019 | <u>Bank Accounts - Rule 9.9</u> Amend authorisation of outwards payments |
| 30. | February 2019 | <u>Remove - State Treasurer - Rule 17</u> Replace with A Board Member |
| 31. | February 2019 | <u>Remove - words "previously given" - Common Seal Rule 21</u> |
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1. NAME, SHORT TITLE & MOTTO

- 1.1 The Returned & Services League of Australia WA Branch Incorporated is a Branch of The Returned & Services League of Australia Limited.
- 1.2 The name of RSLWA is "*The Returned & Services League of Australia WA Branch Incorporated*" and the short title "*RSLWA*".
- 1.3 RSLWA shall establish and conduct Sub-Branches in the State of Western Australia and such additional areas as National Congress decides.
- 1.4 RSLWA is incorporated under the *Associations Incorporations Act 2015*.
- 1.5 The motto of the League is "*The price of liberty is eternal vigilance*".

2. REGISTERED OFFICE

- 2.1 The registered office of RSLWA shall be located in Perth, Western Australia.

3. DEFINITIONS AND INTERPRETATIONS

- 3.1 These Rules shall be construed with reference to the *Associations Incorporations Act 2015* (the Act). Terms used herein shall be taken as having the same meanings as they have when used in that Act unless the contrary intention appears.
- 3.2 In these Rules, unless the contrary intention appears:
 - a. **Act** means the *Associations Incorporation Act 2015*.
 - b. **Affiliate** means a person who has been admitted as an Affiliate of a Sub-Branch pursuant to Rule 7.
 - c. **Board of Directors** shall mean the body constituted under Rule 14.
 - d. **Branch** means the RSLWA of the League.
 - e. **By-Laws** means the By-Laws of the RSLWA. **National By-Laws** means the By-Laws of the Returned & Services League of Australia Limited.
 - f. **Commonwealth** means the Commonwealth of Australia.
 - g. **Committee** means Committee of a Sub-Branch or Board of Directors.
 - h. **Congress** or **State Congress** respectively means the Annual General Meeting of the RSLWA.
 - i. **Dependants** include spouses, partners and children of serving and ex-serving men and women of the Australian Defence Force.
 - j. **Executive Officers** means those Sub-Branch officers as listed in By-Law 5.22.
 - k. **Financial Year in regards to RSLWA** means the period beginning 1 January and concluding 31 December of each year and in regard to Sub-Branches the period beginning 1 July and concluding 30 June each year.
 - l. **Gender** – words importing any gender include the other gender.
 - m. **Honorary Member** means a person who has been admitted to that class of membership pursuant to Rule 7.

- n. **Honorary Life Member** means a person who has been admitted to that class of membership pursuant to Rule 7.
- o. **Incorporated** in relation to a body means a body that has become a body corporate howsoever the same shall have become incorporated.
- p. **Intellectual Property** means all rights or goodwill subsisting in copyright, business names, names, trademarks (or signs), logos, designs, equipment, images (including photographs, videos, films, digital images) or service marks of or relating to the League or any event, competition or activity of or conducted, promoted or administered by the League.
- q. **League** means The Returned & Services League of Australia Limited, its Branches, Sub-Branche s and members.
- r. **Life Member** means a Service Member who has been elected to that class of membership pursuant to Rule 7.
- s. **Member** means a person who has been admitted as class (a) or (b) of the classes of members described in Rule 7.1.
- t. **Member of the Australian Defence Force** means a person who is or was a member of the Royal Australian Navy, Australian Army or Royal Australian Air Force and includes a person who is or was a member of the Permanent Forces, Citizen Forces, Reserve Forces, Emergency Forces or Emergency Reserve Forces or a member of a military force raised in time of war or for a specified period.
- u. **National Congress** means a general meeting of the League.
- v. **National Executive** means the Board of Directors of The Returned & Services League of Australia Limited.
- w. **National Rules** means the constitution of The Returned & Services League of Australia Limited.
- x. **National Tribunal** means the National Tribunal of the League appointed by the National Executive pursuant to By-Law 9 of the National Rules.
- y. **Officers** includes the elected officers and the committee or other body, howsoever that body may be described, charged with the duty of administering the affairs of RSLWA or the Sub-Branch.
- z. **Service Member** means a person who has been admitted to that class of membership pursuant to Rule 7.
- aa. **Social member** means a person who has been admitted as a social member of a Sub-Branch pursuant to Rule 7.
- bb. **State Branch Tribunal** means the State Branch Tribunal established pursuant to Rule 5.3.
- cc. **Sub-Branch** means a Sub-Branch of the League established by the National Executive or by RSLWA.
- dd. **CEO** means the Chief Executive Officer appointed pursuant to Rule 16 of these rules.

4. OBJECTS**4.1 Objects of RSLWA**

The objects of RSLWA are to:

- a. assist and care for serving and ex-serving Australian Defence Force personnel and their dependants who are sick, suffering from mental illness, elderly, homeless or otherwise in need of relief;
- b. support serving personnel of the Australian Defence Force at home and abroad and actively assist them in their transition to civilian life, especially if they are detrimentally affected by their Defence service;
- c. provide assistance to serving and ex-serving Australian Defence Force personnel and their dependants to secure compensation, benefits and assistance that they are eligible to receive under law;
- d. assist in the preservation of the memory, honour and records of those who suffered and died for Australia; and
- e. do any act, matter or thing which is ancillary or incidental to carrying out the above Objects.

5. POWERS OF RSLWA

5.1 RSLWA has the legal capacity and powers of an Incorporated Association as set out in the Act which must be exercised solely for the furthering of the Objects of RSLWA.

5.2 Sub-Branch

- a. By charter, establish and constitute Incorporated and Unincorporated Sub-Branches of RSLWA throughout WA;
- b. Suspend a Sub-Branch;
- c. Administer, conduct and maintain the affairs of a Sub-Branch;
- d. Wind up and dissolve a Sub-Branch;
- e. Revoke, withdraw or amend any charter granted to a Sub-Branch;

5.3 State Branch Tribunal

RSLWA shall establish a State Branch Tribunal consisting of no fewer than five Service or Life Members that shall hear the following matters referred to it by RSLWA:

- a. appeals on decisions of Sub-Branches, both disciplinary and administrative;
- b. disciplinary matters referred to it by RSLWA;
- c. appeals or hearings in relation to eligibility for memberships, transfers of membership, as set out in the Rules; and
- d. other such matters referred to it by the Board of Directors to deal with complaints, disputes and grievances from individuals arising within the jurisdiction of RSLWA.

- 5.4 a. Members of the State Branch Tribunal shall be appointed by the State Congress on the recommendation of the Board of Directors for a period of three years and may be reappointed for further periods of three years.
- b. The Board of Directors shall nominate the Chairman of the State Branch Tribunal for similar periods.

5.5 **APPLICATION OF INCOME AND PROPERTY**

The property and income of RSLWA must be applied solely towards the promotion of the objects or purposes of RSLWA and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member of RSLWA, except in good faith in the promotion of the objects or purposes.

6. **WINDING UP OF RSLWA**

- 6.1 RSLWA shall not be diverted from its original purpose or its incorporation cancelled or wound up voluntarily unless three-fourths of the votes cast by Members entitled to vote of RSLWA so resolve by special resolution at a General Meeting of Members, either a State Congress or an Extraordinary General Meeting, convened for that purpose.
- 6.2 If, upon the winding up of RSLWA or cancellation of its incorporation, there remains, after satisfaction of all its debts and liabilities, any assets whatsoever, the same must not be paid to or distributed among the Members or a member of the Board of Directors of RSLWA but must be transferred to one or more institutions, funds or authorities which:
- a. has objects similar to RSLWA;
- b. is a Registered Public Benevolent Institution;
- c. is a Deductible Gift Recipient; and
- d. prohibits distribution of its income and property among its members and directors (or other controlling body) to an extent at least as great as is imposed on RSLWA.
- 6.3 If, upon the revocation of RSLWA's endorsement as a Deductible Gift Recipient, there remains, after satisfaction of all its debts and liabilities, any gifts, Contributions or money received because of such gifts or Contributions, the same must not be paid to or distributed among the Members or a member of the Board of Directors of RSLWA, but must be transferred to one or more institutions, funds or authorities which:
- a. has objects similar to RSLWA;
- b. is a Registered Public Benevolent Institution;
- c. is a Deductible Gift Recipient; and
- d. prohibits distribution of its income and property among its members and directors (or other controlling body) to an extent at least as great as is imposed on RSLWA.
- 6.4 The identity of the institutions, funds or authorities referred to in rules 6.2 and 6.3 must be determined by resolution of the members.

6.5 Where gifts to an institution, fund or authority are deductible only if, among other things, the conditions set out in the relevant table item in subdivision 30-B of the ITAA97 are satisfied, a transfer under this rule must be made in accordance with those conditions.

6.6 In this rule 6, the following definitions will apply:

Commission means the Commissioner of Taxation, a Second Commissioner of Taxation or a Deputy Commissioner of Taxation for the purposes of the ITAA97.

Contribution means:

- i. a contribution of money or property as described in item 7 of the table contained in section 30-15 of the ITAA97 in relation to a fundraising event; or
- ii. a contribution of money as described in item 8 of the table contained in section 30-15 of the ITAA97 in relation to a successful bidder at an auction that was a fundraising event, held for the RSLWA Objects.

Deductible Gift Recipient means an institution, fund, authority or any other entity that is endorsed as a deductible gift recipient by the Commissioner under Division 30 of the ITAA97 or is a specific listed deductible gift recipient under Division 30 of the ITAA97.

ITAA97 means the Income Tax Assessment Act 1997 (Cth).

Registered Public Benevolent Institution has the meaning contained in section 995-1(1) of the ITAA97.

7. MEMBERSHIP

7.1 Membership shall consist of the following classes, namely:

- a. Service Members;
- b. Life Members;
- c. Interim Service Member
- d. Honorary Members; and
- e. Honorary Life Members.
- f. Affiliates

7.2 The provisions of these Rules shall not disturb the continuity of membership of a person who was admitted to membership of the League (irrespective of the class of membership to which he or she, as the case may be, had been admitted) prior to these Rules coming into force and effect.

Service Members

7.3 Any person who has served in the Australian Defence Force, or served with or supported or was otherwise engaged with the Australian Defence Force or the armed forces of its allies, for at least six months, or any other person provided for in the By-Laws, may be admitted as a Service Member.

- 7.4 A Service Member shall be entitled to attend as an observer at State or National Congress or RSLW Board Meeting at his own expense, but shall not be entitled to be heard nor vote nor shall he be entitled to receive notices.

Life Members

- 7.5 The National President may propose that a Service Member, who has given long, continued and outstanding service to the League, be elected by the National Executive to the class of Life Member.
- 7.6 Subject to the National By-Laws, RSLWA may propose that a Service Member, who has given long, continued and outstanding service to the League, be elected by the National Executive to the class of Life Member.
- 7.7 If, after a proposal has been made pursuant to the National Rules, the Service Member who is the subject of the proposal for Life Membership dies before the National Executive has had an opportunity to elect him to the class of Life Member, the National Executive may determine that he be deemed to have been elected a Life Member on the date the proposal was made and that the badge and certificate of Life Membership be given to his next of kin.
- 7.8 The rights, privileges and obligations of a Service Member elected as a Life Member shall not be disturbed by his election to that class, save and except that he shall not be liable to pay any annual subscription either to the League, RSLWA or a Sub-Branch, as the case may be.
- 7.9 A Life Member shall be entitled to attend as an observer at any National Congress at his own expense, but shall not be entitled to be heard or vote nor shall he be entitled to receive notices.
- 7.10 A Life Member who has been a member continuously for a period of not less than 30 years and who during that period has given not less than 25 years' outstanding service to the League, may, on the recommendation of the National Executive, be awarded a Meritorious Service Medal by the National Congress. The award of such medal may be made posthumously, provided a Sub-Branch has nominated a Life Member for receipt of the award and such nomination has been received by RSLWA prior to the death of the said Life Member and provided further that RSLWA recommends the award to the National Executive and it in turn recommends to the National Congress that the award be made.

Interim Service Member

- 7.11 Any person who has served in the Australian Defence Force for at least one day and for a period of six (6) months thereafter as a member of the Australian Defence Force at which time such a person would qualify for Service Member status.
- 7.12 An Interim Service Member shall be entitled to attend as an observer at State or National Congress or RSLWA Board Meeting at his own expense, but shall not be entitled to be heard nor vote nor shall he be entitled to receive notices.

Honorary Members

- 7.13 The National Executive and/or the State Board of Directors may award honorary membership to:
- a. members of the Australian Defence Force whilst on operational duty; and

- b. such other persons for such period as it sees fit.

7.14 If an Honorary Member is a Service Member or Life Member at the time he is awarded honorary membership, his rights, privileges and obligations as a Service Member or Life Member shall, subject to Rule 7.15, not be disturbed by the award to him of honorary membership.

7.15 An Honorary Member may attend as an observer at any National Congress at his own expense but shall not be entitled to be heard, or vote or receive notices nor shall he be liable to pay any annual subscription or other sums to the League.

Honorary Life Members

7.16 The National Executive may award honorary life membership to:

- a. any member of the Royal Family; or
- b. any representative of the Sovereign in the Commonwealth; or
- c. any person who ordinarily resides in the Commonwealth and who has been awarded the Victoria Cross, the George Cross, the Cross of Valour or the Star of Courage; or
- d. any person who is a citizen of any country forming part of the Commonwealth of Nations and who in the opinion of the National Executive has rendered long, continued and outstanding service to the said Commonwealth of Nations; or
- e. any person who in the opinion of the National Executive has rendered outstanding service to the service or ex-service community of the country in which he ordinarily resides.

7.17 If an Honorary Life Member is a Service Member or Life Member at the time he is awarded honorary life membership, his rights, privileges and obligations as a Service Member or Life Member (as the case may be) shall, subject to Rule 7.18, not be disturbed by the award to him of honorary life membership.

7.18 An Honorary Life Member may attend as an observer at any National Congress but shall not be entitled to vote or receive notices nor shall he be liable to pay any annual subscriptions or other sums to the League.

Affiliates of Sub-Branches

7.19 RSLWA has accepted the introduction of Affiliates of Sub-Branches. An eligible person may apply to be admitted as an Affiliate of a Sub-Branch.

7.20 No person may be admitted as an Affiliate of a Sub-Branch if that person is eligible to be admitted as a Service Member.

7.21 The By-Laws make provision:

- a. as to those persons who are eligible to apply to be so admitted; and
- b. for all necessary rules of, and incident to, such persons.

Social Members of Sub-Branches

- 7.22 Persons not eligible to join the League may be admitted as Social Members at Sub-Branch level. Social Members may not hold an honorary office in any Sub-Branch, nor may they vote at any Sub-Branch meetings. However, they may be invited to speak at Sub-Branch meetings on matters of a purely social (entertainment) nature.
- 7.23 The subscription for social membership is to be fixed, and payment retained, by the Sub-Branch.

Commencement of Membership

- 7.24 An applicant for membership of the Association as either a Service Member or Affiliate becomes a member of the Association under that class of membership when –
- (a) his or her application for membership is accepted by a Sub-Branch of the Association or by the Association (whichever is earlier); and
 - (b) he or she pays any membership fees due to the Association.
- 7.25 Membership of the Association as a Life Member shall commence when the person is elected a life member by the National Executive.
- 7.26 Honorary Membership shall commence upon such an award being made by the National Executive or the State Board of Directors under Rule 7.11.
- 7.27 An Honorary Life Membership shall commence upon such an award being made by the National Executive.

Cessation of Membership

- 7.28 A person ceases to be a Member when any of the following takes place –
- a. for a Member who is an individual, the individual dies;
 - b. the person resigns from the Association by giving written notice to the Association.
 - c. the person is expelled from the Association.
 - d. the person fails to pay membership fees due to the Association on or before 30 April following the due date for payment.

Register of Members

- 7.29 A register of members is to be maintained as follows:
- a. The membership officer, or another person authorised by the committee, is responsible for the requirements imposed on the Association under section 53 of the Act to maintain the register of members and record in that register any change in the membership of the Association.
 - b. In addition to the matters referred to in section 53(2) of the Act, the register of members must include the class of membership (if applicable) to which each member belongs and the date on which each member becomes a member.

- c. The register of members must be kept at RSLWA's place of business, or at another place determined by the Board of Directors.
- d. A member who wishes to inspect the register of members must contact the membership officer to make the necessary arrangements.
- e. If —
 - i. a member inspecting the register of members wishes to make a copy of, or take an extract from, the register under section 54(2) of the Act; or
 - ii. a member makes a written request under section 56(1) of the Act to be provided with a copy of the register of members,the committee may require the member to provide a statutory declaration setting out the purpose for which the copy or extract is required and declaring that the purpose is connected with the affairs of the Association.

8. GENERAL PROVISIONS OF MEMBERSHIP

- 8.1 All Service and Life members shall be of equal status in the League.
- 8.2 All other members shall be deemed to have agreed to be bound by the provisions of the National Rules and National By-Laws.
- 8.3 For the purposes of these Rules, the National Executive shall have jurisdiction over all members but in addition RSLWA shall have jurisdiction over a person who is also a member of RSLWA, or of a Sub-Branch which is subject to the jurisdiction of RSLWA.

Associate Membership

- 8.4 A Service or Life Member who is also a member of a Sub-Branch shall not be eligible to be a member of another Sub-Branch but may apply to be admitted as an associate thereof. Such an application shall be lodged with the Secretary of that other Sub-Branch and upon his being admitted, he shall be known as an associate of that other Sub-Branch. The annual subscription payable by an associate to that other Sub-Branch shall be the annual subscription payable by a Service Member to a Sub-Branch less that proportion of each annual subscription referred to in By-Law 15.
- 8.5 A Service or Life Member who is also an associate, shall be entitled to hold office, vote and speak at a meeting of not more than one Sub-Branch.
- 8.6 A Service or Life Member to whom Rule 8.5 applies shall:
 - a. elect in writing the Sub-Branch in which he wishes to be eligible to hold office, vote and speak; and
 - b. deliver such election to all the Sub-Branches of which he is a member and associate;

and until he has complied with this Rule, he shall only be entitled to hold office, vote and speak at the Sub-Branch of which he is a member, and such election shall not be able to be revoked during the membership year in which it is made.

Defence Service Less Than Six Months

- 8.7 If the Board of Directors is satisfied special circumstances exist it may recommend to the National Executive for admittance as a Service Member a person who has not served for the period of six months specified by Rule 7.3, provided such person is otherwise qualified to be admitted as a Service Member.

Australian Citizen

- 8.8 No person who is not an Australian citizen shall be admitted as a Service Member unless he has signed a declaration that he is prepared to swear or affirm (as the case may be) loyalty to the Nation and its Sovereign and that he will uphold the Constitution of the Commonwealth and the Constitution of The Returned & Services League of Australia Limited.
- 8.9 If an applicant for Service Membership is not an Australian citizen, then unless he proves to the satisfaction of the League that by making a declaration required by Rule 8.8 he would or would be likely to lose his citizenship, he shall make such a declaration, failing which, he shall not be admitted as a Service Member.
- 8.10 The By-Laws may make provision for terms and conditions of membership (including applications for and resignations from) not otherwise provided for in these Rules.
- 8.11 RSLWA is to maintain an "*Unattached List of Members*" and a "*Miscellaneous List of Members*" in accordance with the procedures set out in the By-Laws. In addition, the League may also maintain either or both of these.

Subscriptions

- 8.12 No person shall be deemed a member of RSLWA, or allowed to exercise the privileges of a member, unless he shall be a Life Member in accordance with the provision of Rule 7 or have paid his subscription for the current year.

Non Admittance

- 8.13 If a Sub-Branch considers an applicant for Service membership should not be admitted as a Service Member and a member of that Sub-Branch, it shall have no power or authority to reject the application but shall forward the application and all supporting documents, the subscription paid and its written reasons for failure to admit the applicant to membership, to RSLWA within 14 days.
- 8.14 RSLWA may direct the Sub-Branch referred to in Rule 8.13 to admit the applicant as a Service Member if it is of the opinion he should be admitted, or shall reject the application if it is satisfied the applicant is not eligible.

Inspection of records and documents

- 8.15 A member who wants to inspect a record or document of the association (other than the register of members which is covered by Rule 7.27) must contact RSLWA to make the necessary arrangements for the inspection.
- 8.16 The inspection must be free of charge.
- 8.17 The member may make a copy of a record or document (other than the register of names and addresses of the Board of Directors) but shall not remove the record or document.

- 8.18 A member may only inspect a document that records the minutes of a meeting of the Board of Directors if the Board of Directors has decided that minutes of meetings of the Board of Directors generally, or the minutes of a specific meeting of the Board of Directors, should be available for inspection by members. The member does not have a right to make a copy of or to remove the record or document.
- 8.19 The member must not use or disclose information in a record or document referred to in Rules 8.15 and 8.18 except for a purpose –
- a. that is directly connected with the affairs of the Association; or
 - b. that is related to complying with a requirement of the Act.

Suspension or Expulsion of Member

- 8.20 The Board of Directors may by resolution suspend or expel a member of RSLWA.

9. FINANCIAL MATTERS

Subscriptions

- 9.1 A Service Member shall pay to RSLWA or a Sub-Branch (as the case may be) such annual subscription as is determined from time to time by State Congress on the recommendation of the Board of Directors, unless otherwise directed by the Board of Directors.
- 9.2 A Service Member whose name is included in the Unattached List of Members or in the Miscellaneous List of Members kept by RSLWA shall pay such annual subscription as may be determined from time to time by State Congress.
- 9.3 Each Sub-Branch shall pay to RSLWA such proportion of each annual subscription received by it as is determined by State Congress.
- 9.4 RSLWA shall pay to the National Headquarters of the League a proportion of each annual subscription received by it pursuant to By-Law 10 determined and payable in accordance with National By-Law 15. Such proportions are to be referred to as "*capitation fees*".
- 9.5 Annual subscriptions shall be payable in advance on January 1 in each calendar year.
- 9.6 If a Service Member shall fail to pay his annual subscription on or before April 30 following upon the date annual subscriptions becomes due and payable, he shall cease to be a Service Member, except as provided for in National By-Laws which relates to *Default in Payment of Subscription*.
- 9.7 If the Australian Defence Force is engaged in a conflict, then any Service Member who is a member of that Force and is engaged in that conflict, shall for the period of his involvement in that conflict, be relieved from any liability to pay annual subscriptions either to the League, RSLWA or a Sub-Branch, as the case may be.

Accounts

9.8 Chief Financial Officer

- a. The CEO shall appoint a person to be the Chief Financial Officer (CFO) as a paid employee on such remuneration, terms and conditions as he thinks fit.

- b. The CFO shall report to the CEO. The position will handle all the day-to-day accounting systems and procedures of RSLWA and attend meetings as required. The CFO will produce accounting documents and provide on-going advice as required.

9.9 **Bank Accounts**

- a. All moneys received on behalf of RSLWA shall be placed in an approved financial institution and vested in the name of RSLWA.
- b. All outwards payments shall be authorised by any two of the following, viz, the State President, State Vice President, CEO, CFO and such additional person or persons as the Board determines, to sign cheques or authorise electronic payments subject to the delegation policy in place.

9.10 **Books of Account**

- a. The Board of Directors shall cause proper books of account to be kept with respect to:
 - (i) all sums of money received and expended by the League and the manner in respect of which the receipt and expenditure takes place;
 - (ii) all sales and purchases of real and personal property by RSLWA; and
 - (iii) the assets and liabilities of RSLWA.
- b. Such accounts shall be kept at the registered office of RSLWA, or subject to the Act, at such other place as the Board of Directors thinks fit, and shall always be open to the inspection of any member of the State Congress or Board of Directors at any reasonable time.
- c. The Board of Directors shall, from time to time in accordance with the provisions of the Act, cause to be prepared and to be laid before the State Congress such income and expenditure accounts, balance sheets and reports as are required thereby.

9.11 **Auditor**

- a. The State Congress shall, at each Annual General Meeting, appoint one or more auditors for RSLWA for no more than a three year term subject to an annual review by the Board of Directors.
- b. Any vacancy arising in the position of Auditor to RSLWA between Congresses shall be filled by the Board of Directors.
- c. The auditors appointed for RSLWA shall, after 31 December in each year and before the annual meeting of the State Congress, shall perform an independent audit of the RSLWA financial statements in accord with the Australian Accounting Standards Board's Auditing Standards and report to the Board of Directors and State Congress the results of their audit.
- d. The auditors shall make any additional reports they deem necessary or which may be required by the State Congress or the Board of Directors.

10. ORGANISATION OF RSLWA

- 10.1 RSLWA may establish within its jurisdiction such Sub-Branches as it may deem necessary or desirable and make Rules, not inconsistent with the National Rules or the National By-Laws, or these Rules and RSLWA By-Laws for the governance and control thereof. The Sub-Branches established by RSLWA shall be designated and known by name of the city or town, locality, establishment, organisation or group where, or in connection with which, they are formed and followed by the letters RSL.
- 10.2 RSLWA may appoint two Service or Life Members (one of whom shall be its President for the time being) or his elected representative to represent it at a particular National Congress or at all National Congresses.
- 10.3 RSLWA shall carry out and further the objects of the League and be bound by its standing policy. In addition it shall promote that standing policy within its jurisdiction and shall have such further powers, functions and duties as are hereinafter set forth in these Rules and as may be set forth in the By-Laws or as are delegated to it by the National Executive. It shall comply with any lawful direction or lawful request of the National Executive.
- 10.4 The Constitution and the Rules of RSLWA and all Sub-Branches shall be consistent with RSL National Rules and By-Laws where there is any inconsistency within the Constitution or By-Laws the National Rules and By-Laws will take precedence.
- 10.5 Each Sub-Branch shall:
- a. be bound by the provisions of the National Rules and the National By-Laws and these Rules and RSLWA By-Laws;
 - b. be bound by and uphold the Standing policy of the League; and
 - c. comply with such lawful directions as are given to it from time to time by RSLWA.
- 10.6 Upon RSLWA establishing a Sub-Branch it shall grant to it a charter in a form approved by the National Executive. All charters issued by RSLWA at the date the National Rules come into force and effect, shall be deemed to have been approved by the National Executive.
- 10.7 If two or more Sub-Branches amalgamate, the charters issued to each shall be deemed to have been revoked by RSLWA. Such charters shall be returned to RSLWA that shall thereupon issue a charter to the amalgamated Sub-Branch and thereupon the members of the former Sub-Branches shall cease to be members of those Sub-Branches and become members of the amalgamated Sub-Branch.
- 10.8 If any two or more Sub-Branches amalgamate, their assets shall, subject to the Act, respectively vest in the amalgamated Sub-Branch.

Liability

- 10.9. RSLWA shall not be responsible for the liabilities of any Sub-Branch unless these are expressly taken over by resolution of the Congress or the Board of Directors.
- 10.10 Any Sub-Branch wishing to invest and deal in real estate and to hold property for the purposes of furthering all or any of the objects of the League shall have no power to incur any liability or expense beyond its own security without authority, or by resolution of the Board of Directors.

- 10.11 An officer, trustee or member of RSLWA or a Sub-Branch is not by reason only of his being such an officer, trustee or member liable in respect of the liabilities of RSLWA or a Sub-Branch.

11. CAPITATIONS

- 11.1 Each year the State Congress shall determine the capitation fees payable by a Sub-Branch to RSLWA in respect of the following calendar year. On the first day of each month in each year, each Sub-Branch shall pay to RSLWA the capitation fees due and owing by it and such fees shall be computed having regard to the total amount received by that Sub-Branch in the month preceding the date payment is due and owing.
- 11.2 A Sub-Branch shall, if required in writing by the Board of Directors or National Executive, produce for its inspection all its books of accounts, minute books, statutory registers kept under any law (if applicable) and records and supply such returns and other information as the National Executive or Board of Directors may from time to time require.

12. MEETINGS

- 12.1 An Annual General Meeting of RSLWA shall be known as a "*State Congress*".
- 12.2 A State Congress of RSLWA shall be held in accordance with the provisions of the Act and, subject thereto, such a meeting shall be held annually, at such time and place as is determined by the Board of Directors. The organisation and conduct of State Congress is detailed in By-Law 1 and By-Law 9.
- 12.3 The Board of Directors may, whenever it thinks fit, convene an Extraordinary General Meeting.
- 12.4 The CEO shall, on the requisition in writing of 25 percent of Sub-Branches, convene an Extraordinary General Meeting of RSLWA within 28 days of receiving such requisition.
- 12.5 Subject to the provisions of the Law relating to special resolutions and agreements for shorter notice, 21 days' notice at least (exclusive of the day on which the notice is served or deemed to be served, but inclusive of the day for which notice is given) specifying the place, day and the hour of the meeting and in the case of special business, the general nature of that business, shall be given to such persons and Sub-Branches as are entitled to receive notices from RSLWA.
- 12.6 All business transacted at an Extraordinary General Meeting of RSLWA shall be special business.
- 12.7 Representatives of kindred organisations may be invited to attend a State Congress at the discretion of the Board of Directors. Such representatives shall not be entitled to vote or to payment of expenses and may only be heard by leave of the Congress.
- 12.8 The representatives of 25 percent of Sub-Branches present shall constitute a quorum at a General Meeting (both State Congress and any special or extraordinary or other General Meeting).
- 12.9 The procedure and order of business at a general meeting of members (including State Congress) must be determined from time to time by the Board of Directors and may be set out in the By-Laws.

- 12.10 Notice of general meetings shall be given to all members of all membership classes by the CEO as follows:
- a. 28 days' notice will be given for State Congress
 - b. 21 days' notice shall be given for any other general meeting
 - c. The notice must –
 - i. specify the date, time and place of the meeting; and
 - ii. indicate the general nature of each item of business (including as far as reasonably possible the general nature of the motions) to be considered at the meeting.
 - d. The notice will specify the rights of each class of member in relation to attending at and voting at the State Congress or other general meeting.
 - e. The notice must –
 - i. state that the member may appoint an individual who is a Service member as a proxy for the meeting; and
 - ii. include a copy of any form that the Board of Directors has approved for the appointment of a proxy.
 - f. If a special resolution is proposed –
 - i. set out the wording of the proposed resolution; and
 - ii. state that the resolution is intended to be proposed as a special resolution.
 - g. The notice may be given in writing or by electronic mail.

13. NATIONAL CONGRESS

- 13.1 Representatives of RSLWA to attend National Congress, who are not provided for in these Rules, shall be determined by the Board of Directors.
- 13.2 The delegates to National Congress shall be the State President, CEO and Vice-President, or other member as the Board of Directors may decide.
- 13.3 Where any vacancy arises in any of the said positions and in any case where an urgent appointment is necessary, and it is impossible to call for nominations as aforesaid, such position may be filled by Board of Directors.
- 13.4 RSLWA representatives attending National Congress shall be allowed such sum for expenses as is provided by the Rules and By-Laws of the League.
- 13.5 Nominations for the positions of National President, Deputy National President and National Treasurer may be submitted by Sub-Branches to reach the CEO no later than two months prior to State Congress. A ballot to determine the final Branch nominees will be conducted at the State Congress.

14. THE BOARD OF DIRECTORS

14.1 The Board of Directors shall consist of:

- a. State President;
- b. State Vice-President;
- c. three Life or Service Members from a Sub-Branch within and who resides in the Metropolitan Region; and
- e. three Life or Service Members from a Sub-Branch located within and who resides in regional Western Australia

14.2 The Board of Directors may co-opt onto the Board not more than 2 persons, who have certain expertise or knowledge, as members of the Board for the duration of the need of their expertise or knowledge notwithstanding they are not members of RSLWA.

14.3 The Board of Directors shall meet at least monthly in each year unless otherwise decided by the Board of Directors and shall administer the affairs of RSLWA between each State Congress.

The following shall apply to meetings of the Board of Directors:

- a. The State President or, in his or her absence, the State Vice President must preside as chairperson of each Board of Directors meeting.
- b. If the chairperson and deputy chairperson are absent or are unwilling to act as chairperson of a meeting, the Board of Directors at the meeting must choose one of them to act as chairperson of the meeting.
- c. The procedure to be followed at a committee meeting must be determined from time to time by the committee and may be set out in the By-Laws.
- d. The order of business at a committee meeting may be determined by the committee members at the meeting and may be set out in the By-Laws.
- e. A member or other person who is not a committee member may attend a committee meeting if invited to do so by the committee.
- f. A person invited under subrule (e) to attend a committee meeting –
 - i. has no right to any agenda, minutes or other document circulated at the meeting; and
 - ii. must not comment about any matter discussed at the meeting unless invited by the committee to do so; and
 - iii. cannot vote on any matter that is to be decided at the meeting.

14.4 No person shall be eligible to hold office as a Member of the Board of Directors unless he is a Service or Life member, or is so appointed under the provisions of Rule 14.2.

14.5 All positions of the Board of Directors shall be vacated at the State Congress after a term of three years in office and elections shall be held to fill each of those vacancies.

Nominations of Candidates

- 14.6 Nominations of candidates for election as Members of the Board of Directors shall be submitted by Sub-Branches as follows:
- a. completion of the official nomination form of the Western Australian Electoral Commission (WAEC), issued to Sub-Branches by RSLWA; and
 - b. forwarded to the WAEC by the closing date and time designated by the WAEC.
- 14.7 The election of the Board will involve separate ballots for the positions of State President, State Vice-President and six Life or Service Members. The terms of office of these Members will be three years. Where the number of nominations received are equal to or less than the vacancies to be filled, the persons nominated shall be deemed to be elected.
- 14.8 If insufficient nominations are received to fill the vacancy/s on the Board of Directors, the Board of Directors shall have the authority to appoint such further Members to fill the vacancy/s. Where this Constitution does not provide detail sufficient to cover all elements of the postal voting election process, then RSLWA will conform with the standard Election Rules of the WAEC.
- 14.9 Where multiple nominations are received for any single vacancy or if the number of nominations exceeds the number of vacancies to be filled, voting papers shall be prepared containing the names of candidates in alphabetical order, for each vacancy on the Board of Directors.

Voting Procedures

- 14.10 The election shall be by standard preferential ballot and shall be by secret postal ballot on papers prepared by the CEO.
- 14.11 If the Board of Directors considers it appropriate, in order to further the objects of the League it may provide for certain portfolios in the By-Laws with specific responsibilities as determined at the discretion of the Board of Directors.
- 14.12 Where such portfolios are so provided the nominees for the Board of Directors shall specify on their nomination form the portfolio for which they are nominating.
- 14.13 If the State President is or proposes to be absent, unable or unwilling to carry out his duties the State Vice-President is to be the Acting State President.
- 14.14 If the State President dies, is removed from office or is deemed to have vacated his office, the State Vice-President is to be the Acting State President until a successor has been elected at an Extraordinary General Meeting of RSLWA to be held within 90 days of his succession to the position.
- 14.15 The Members of the Board of Directors shall commence their respective duties at the next meeting of the Board of Directors after the State Congress at which they were appointment.
- 14.16 The quorum for any Board of Directors or committee meeting shall be 50 percent of the filled voting positions of the Board of Directors.
- 14.17 Sub-Branch Presidents, Secretaries and Treasurers, or their representatives and any service member shall be entitled to attend meetings of the Board of Directors and its committees as observers, but shall not be entitled to speak or vote on any matter.

- 14.18 The office of a Member of the Board of Directors including the State President shall be deemed vacant if that member:
- a. ceases to be a Member of the Board of Directors by virtue of the Act, or
 - b. is absent from two consecutive meetings or two consecutive committee meetings unless good valid reasons acceptable to the Board of Directors are given; or
 - c. if, in the opinion of Board of Directors, he is considered to be, in the interests of the League, not a fit and proper person to be a member; or
 - d. becomes bankrupt or an insolvent under administration, or
 - e. becomes a person of unsound mind or a person whose person or estate is liable to be dealt with under any law relating to mental health or guardianship; or
 - f. resigns by notice in writing to RSLWA; or
 - g. is absent from the State for six months unless special leave of absence is granted by two thirds majority of the Board of Directors; or
 - h. becomes a paid member of the staff of RSLWA; or
 - i. ceases to be a member of RSLWA, or
 - j. is directly involved or indirectly interested in any contract or proposed contract with the League or Branch and fails to declare the nature of his interest in the required manner prescribed by the Act, or
 - k. is suspended, disqualified from holding office, transferred to the Miscellaneous List or expelled from membership of the League.
- 14.19 The Board of Directors, or any member thereof, may be removed from office should the majority of the Sub-Branches so resolve at an Extraordinary General Meeting called for that purpose.
- 14.20 No Sub-Branch shall so resolve unless notification thereof in writing, together with a written copy of the motion or motions it is proposed to submit, has been received by the CEO 14 clear days prior to the date fixed for the holding of any such Extraordinary General Meeting.
- 14.21 Upon the passing of any such resolution under By-Law 14.20 Sub-Branch Secretaries shall, in writing, furnish the CEO with the terms thereof.
- 14.22 On receipt of the requisite number of resolutions under By-Law 14.20, the CEO shall, without undue delay, notify the State President, who, on being satisfied that all Sub-Branches so resolving have observed and fulfilled the aforesaid conditions, shall call an Extraordinary General Meeting to deal with the matter.
- Casual Vacancy**
- 14.23 Any casual vacancy arising in the Membership of the Board of Directors of RSLWA shall be filled by a resolution of the Board of Directors.
- 14.24 A person appointed to fill such a casual vacancy shall serve the unexpired portion of the term of office of the officer replaced.

- 14.25 The State President, State Vice-President and Members of the Board of Directors shall each be entitled to one vote, and the State President, or other member presiding in his absence, shall, in addition, be entitled to a casting vote.

State President and State Vice-President

- 14.26 The State President shall preside at all meetings of the State Congress, Board of Directors and shall preserve good order so that the business may be properly conducted. The State President shall see that the minutes of the meetings are read and confirmed and, upon such reading and confirmation, sign same. He shall at all meetings have a deliberative as well as a casting vote.
- 14.27 The State Vice-President shall assist the State President, and, in the absence of the State President shall preside and exercise the powers of the State President at meetings. In the absence of the State President or, in the absence of the State President and the State Vice-President, such one of their members as the State Congress or Board of Directors shall decide, shall preside and exercise the powers of the President at meetings.
- 14.28 The State President shall have power to call a meeting of the State Congress or Board of Directors at any time provided that 28 days' notice shall have been given of a State Congress meeting, and at least two days' notice shall be given to members of a Board of Directors meeting. He shall also have power to call a meeting of any Sub-Branch provided that seven days' notice shall be given.
- 14.29 The State President may, subject to concurrence by 10 percent of Sub-Branches, convene an Extraordinary General Meeting of RSLWA to be conducted via postal ballot or any other acceptable communication method, to resolve any matter of a specific nature of Branch policy, provided fourteen days' notice must have been previously given to all Sub-Branches.
- 14.30 The State President may convene an extraordinary meeting of the members of a Sub-Branch where RSLWA is satisfied that such a meeting is necessary in the interests of the Sub-Branch, and the Sub-Branch President has refused or omitted to convene a meeting of members after a request by RSLWA or, having convened such a meeting, refused to adhere to the Rules of RSLWA. Such extraordinary meeting shall have the power of an Annual General Meeting of the Sub-Branch. The State President may lay down the quorum for such meeting.
- 14.31 The State President, in matters where these Rules do not apply, shall be answerable in respect of his acts as State President, only to a State Congress.
- 14.32 The State President and Board Member of RSLWA or, in their absence, the Acting State President or Board Member, shall be ex-officio members of all committees appointed by Board of Directors or formed within or under the auspices of RSLWA, and they shall have power to vote.
- 14.33 **Payments to Board Members**
- a. In this rule:
Board Member includes a member of a subcommittee;
Board Meeting includes a meeting of a subcommittee.
 - b. A Board Member is entitled to be paid out of the funds of RSLWA for any out-of-pocket expenses for travel and accommodation properly incurred:

- i. in attending a Board Meeting or
- ii. in attending a general meeting; or
- iii. in otherwise in connection with the RSLWA business.

Minutes of Board of Directors meetings:

- 14.34
- a. The Board of Directors must ensure that minutes are taken and kept of each Board of Directors meeting.
 - b. The minutes must record the following –
 - i. the names of the Board of Directors members present at the meeting;
 - ii. the name of any person who attends the meeting as an invited person;
 - iii. the business considered at the meeting;
 - iv. any motion on which a vote is taken at the meeting and the result of the vote.
 - c. The minutes of a Board of Directors meeting must be entered in the Association's minute book within 30 days after the meeting is held.
 - d. The chairperson must ensure that the minutes of a Board of Directors meeting are reviewed and signed as correct by –
 - i. the chairperson of the meeting; or
 - ii. the chairperson of the next committee meeting.
 - e. When the minutes of a Board of Directors meeting have been signed as correct they are, until the contrary is proved, evidence that –
 - i. the meeting to which the minutes related was duly convened and held; and
 - ii. the matters recorded as having taken place at the meeting took place as recorded; and
 - iii. any appointment purportedly made at the meeting was validly made.

15. DECISION BY MAJORITY VOTE

- 15.1 All questions arising at any meeting of the State Congress or Board of Directors shall, unless otherwise expressly provided by these Rules, be decided by a majority of the votes of the members present and voting, including the Chairman and, in the case of an equality of votes, the Chairman shall have a casting vote.

16. CHIEF EXECUTIVE OFFICER

- 16.1 The Board of Directors shall appoint a Chief Executive Officer (CEO) as a paid employee on such remuneration, terms and conditions as it considers fit. He shall be responsible to the Board of Directors in the discharge of his duties.
- 16.2 The Chief Executive Officer of The Returned & Services League of Australia WA Branch Incorporated shall be the Public Executive Officer for the purposes of the *Associations Incorporation Act 2015*.

16.3 The CEO shall have all relevant documentation prepared and attend all meetings of the State Congress and Board of Directors, but may not vote at such meetings.

16.4 The Board of Directors shall have power to suspend or remove the CEO.

16.5 The Board of Directors may vest in the CEO such powers, duties and authorities as it from time to time may determine and the CEO shall exercise all such powers and authorities subject at all times to the control of the Board of Directors.

17. FINANCE COMMITTEE

17.1 A Board Member of RSLWA shall Chair a Committee to exercise oversight of the financial management, finances and accounts of RSLWA on behalf of the Board of Directors.

17.2 He shall produce appropriate statements of accounts at meetings of the State Congress and Board of Directors and provide a general report on the financial management of RSLWA as required.

17.3 At all meetings of the Board of Directors he shall submit a statement of all cash transactions and cash received since the submission of the previous financial statement to the preceding meeting of the Board of Directors.

17.4 At the close of each financial year he shall cause to be prepared a balance sheet containing a summary of the assets and liabilities of RSLWA and a statement of the income and expenditure of RSLWA during the preceding year. The balance sheet shall be audited in accord with Rule 9.11, and not less than two months, prior to State Congress, a copy shall be posted by the CEO to each Sub-Branch not later than one calendar month prior to the date fixed for notices of consideration for State Congress.

18. THE STATE TRUSTEES

18.1 There shall be such number of State Trustees of RSLWA, as the Board of Directors shall from time to time determine.

18.2 The State Trustees shall be appointed by the State Congress on the recommendation of the Board of Directors for a period of three years, and may be reappointed for further periods of three years. They shall carry out such duties and have such powers and functions as are from time to time determined in law and may be removed from office by a resolution of the State Congress.

18.3 A State Trustee shall be entitled to notice of a State Congress, and notice of meetings of the Board of Directors. A Trustee shall be entitled to attend but shall not be entitled to be heard (except with the permission of the Congress, Board of Directors, as the case may be) nor vote.

19. REFERENDUM

19.1. The State Congress or the Board of Directors may by a special resolution refer any relevant matter to Sub-Branches or members by way of referendum. In any such case, the Board of Directors shall reduce the matter in question, or the resolution or amendment, to writing in such form as, in its opinion, will be convenient. Voting papers, embodying the question, amendment or resolution shall, within 14 days after the meeting directing the referendum, be sent to Sub-Branches or members entitled to vote. Voting papers shall be returned within such period, but not less than 21 days, as the meeting directing the referendum shall determine. Such meeting shall appoint

a Returning Officer and two scrutineers who shall open the voting papers, count the votes and report the result of the voting to the Board of Directors. Board of Directors shall then promulgate the results, which will be binding on RSLWA, to Sub-Branches.

20. PUBLICATIONS AND PRESS

Communications

- 20.1 No officer, except the State President or, in his absence, State Vice-President or other duly appointed officer authorised by the State President, shall communicate with the media, speak publicly on behalf of RSLWA or in any way attempt to commit RSLWA on any question of the policy of the League.
- 20.2 The President of a Sub-Branch, or duly appointed Officer authorised by the Sub-Branch President, may speak publically, including to the media, on matters relevant to and pertaining to that Sub-Branch.

21. COMMON SEAL

- 21.1 RSLWA shall possess a seal, which shall always be kept at the office of the CEO and not be used without the authority of the Board of Directors and then only in the presence, and accompanied by the signatures of the State President or State Vice-President and the CEO.
- 21.2 Use of the Common Seal is to be tabled at the Board of Directors.

22. INDEMNITY

- 22.1 Every officer, State Trustee, auditor or agent of the League shall be indemnified out of the property of the League against any liability incurred by him in his capacity as officer, trustee, auditor or agent in defending any proceedings, whether civil or criminal, in which judgement is given in his favour or in which he is acquitted, or in connection with any application in relation to any such proceedings in which relief is granted to him by a court of law.

23. AMENDMENT OF THESE RULES

- 23.1 These Rules shall only be amended by a special resolution passed at a meeting of RSLWA, either a State Congress or Extraordinary General Meeting, by at least 75 percent of the votes cast by members entitled to vote on the resolution.

24. BY-LAWS

The Board of Directors may make By-Laws prescribing all matters and things that by these Rules are required or permitted to be prescribed or that are necessary or convenient to be prescribed for giving effect to these Rules.

2.11. RATE EXEMPTION

| | |
|-------------------------|--|
| Responsible Department | Corporate Services |
| Former policy Reference | FP1 – Rate Exemption First adopted 21 October 2010 |
| Resolution Number | OMC 53 /2019 |
| Resolution Date | 18 April 2019 |
| Last Amendment Date | 18 April 2019 – Major review and re-write |
| Shire Related Documents | Application for Rates Exemption Form |
| Related Legislation | <i>Local Government Act 1995. S6.26(2)(g)</i> <i>Charities Act 2013</i> |

OBJECTIVE

The purpose of this policy is to identify a process to be followed when an organisation wishes to apply for an exemption of rates pursuant to Section 6.26(2)(g) of the *Local Government Act 1995* (the Act), where it is claimed the land is used exclusively for charitable purposes.

This policy provides an equitable basis and administrative framework to assess applications for rate exemptions that is compliant with legislation and guides by best practice.

POLICY

This policy applies to charitable and non-for-profit organisations that own land within the Shire of Wyalkatchem and are liable for payment of rates.

Introduction

Section 6.26(2) of the Act identifies a number of situations where land is not rateable. Most are clearly defined and straightforward to apply. However, Section 6.26(2)(g) is open to some interpretation and therefore, this policy seeks to clearly define under what basis, this section of the Act is to be applied by Council.

Council is committed to adhering to the Act and providing support and guidance to applicants who provide assistance to members of the public and as such, a benefit to the community. Claimants are required to evidence their right to an exemption, and demonstrate the land is used exclusively for charitable purposes.

The Act does not define what a charitable purpose is therefore, the definition under Commonwealth Law must be applied. Under Section 12(1) of the *Charities Act 2013*, a charitable purpose means any of the following:

- a) the purpose of advancing health;
- b) the purpose of advancing education;
- c) the purpose of advancing social or public welfare;
- d) the purpose of advancing religion;
- e) the purpose of advancing culture;
- f) the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;

- g) the purpose of promoting or protecting human rights;
- h) the purpose of advancing the security or safety of Australia or the Australian public;
- i) the purpose of preventing or relieving the suffering of animals;
- j) the purpose of advancing the natural environment;
- k) any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs(a) to (j);
- l) the purpose of promoting or opposing a change to any matter established by law, policy or practice in the Commonwealth, a State, a Territory or another country, if:
 - i) in the case of promoting a change—the change is in furtherance or in aid of one or more of the purposes mentioned in paragraphs(a) to (k); or
 - ii) in the case of opposing a change—the change is in opposition to, or in hindrance of, one or more of the purposes mentioned in those paragraphs.

It must not be a disqualifying purpose under Section 11 of the *Charities Act 2013*.

The key considerations when assessing an application for exemption pursuant to Section 6.26(2)(g) of the Act are:

- The use of the land, not the purpose of the applicant.
- The use must come under the provisions of the Charities Act 2013.
- The land must be used exclusively for a charitable purpose.
- The land use must be for a public benefit, where the benefit is available to members of the public generally or a particular section of the public.

When considering Australian case law, the proper test for determining whether land is used exclusively for charitable purposes is:

- a) if land is used for a dual purpose, then it is not used exclusively for charitable purposes although one of the purposes is charitable; and
- b) if the use of the land for a charitable purpose produces a profitable by-product as a mere incident of that use, the exclusiveness of the charitable purpose is not thereby destroyed.

Provisions

1. Application for a rates exemption under Section 6.26(2)(g) of the Act

- 1.1. All applications must be made in writing by completing an Application for Rates Exemption Form and provide any supporting documentation according to the checklist on the application form.
- 1.2. If any information has not been provided or is unclear, the applicant may be required to provide the additional information before the application will be assessed.
- 1.3. If the property is leased, a copy of the lease is required with the application to ascertain if the lessee is liable for payment of the rates in the terms of the lease.
- 1.4. Rates and charges must be paid on time until a determination is made. A refund may be made if the application is successful.
- 1.5. Applicants need to provide clear and concise information regarding the nature of their activities to illustrate eligibility for the exemption to facilitate Council's decision making.

2. Making a Determination

- 2.1. An application will be assessed by the Manager Corporate Services and if it meets the criteria to be considered for an exemption, a report will be presented to Council with an officer recommendation to either approve or decline the request.
- 2.2. The applicant must be a registered charity with Australian Charities and Not-for-profits Commission (ACNC) or an incorporated Not-for-Profit organisation.
- 2.3. The applicant must own the property on which rates are levied or be a tenant liable for payment of the rates under a lease.
- 2.4. The land must be used exclusively for charitable purposes, as defined in the Charities Act 2013.
- 2.5. The applicant must not conduct any commercial operation from the property.
- 2.6. The applicant must not hold a liquor licence for the provision of alcohol for sale to the public for profit.
- 2.7. Council may request additional information from an organisation making application if it considers it necessary to do so.
- 2.8. Information requested under clause 2.6 may include but, is not limited to copies of the Constitution of the organisation, recent financial statements of the organisation and information demonstrating precisely how any land that is subject of the application is used.

3. Grant of a Rates Exemption

- 3.1. An exemption shall only be granted if the applicant has demonstrated they are eligible under the relevant legislation, by completing the appropriate application form and providing supporting documentation.
- 3.2. The Council decision will be actioned by the officers and a note will be made against the property assessment.
- 3.3. Applicants will be notified in writing of Council's determination, with correspondence to include details of:
 - the date the exemption applies from,
 - the relevant section of the Act,
 - the review period (i.e. 2 years); and,
 - the amount of general rates reversed.
- 3.4. An exemption is only applicable to the rates component of the annual rates and charges. Where exemption from rates is approved, the property will still be subject to the Emergency Services Levy and any other charges.
- 3.5. If the property has been used for the stated purpose as at 1 July of the relevant financial year, the exemption can be applied from that date and a refund given if rates have been paid prior to the determination.
- 3.6. Where the land use has changed during a financial year, any exemption granted is only applicable from the date of the change.
- 3.7. A partial exemption can be applied where only part of a defined lot is used for a charitable purpose.

- 3.8. The granting of an exemption in any year does not guarantee an ongoing exemption.
- 3.9. All exemptions are to be reviewed at least every two years as part of the annual budgeting process. Where the application is based on a lease that is due to expire, it may need to be reviewed annually.

4. Declined Applications

- 4.1. Where an application is declined, the applicant has options to challenge the determination.
 - 4.1.1. The applicant may object under Section 6.76 of the Act, on the basis that the land or part of the land was not rateable land.
 - 4.1.2. The applicant has the right to appeal a decision made under Section 6.76 to the State Administrative Tribunal (SAT).
 - 4.1.3. Apply for a concession under Section 6.47 of the Act. Such applications would be considered on a case by case basis and determined by Council.
- 4.2. Where all appeals are not successful, the final option available to the applicant is to apply to the Minister for Local Government, to make a final determination, under Section 6.26(4) of the Act.



3.1.12 Appoint Dual Bush Fire Control Officers

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| Delegator: <i>Power / Duty assigned in legislation to:</i> | Local Government |
| Express Power to Delegate: <i>Power that enables a delegation to be made</i> | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express Power or Duty Delegated: | <i>Bush Fires Act 1954:</i> s.40 Local Government may join in appointment and employing bush fire control officers |
| Delegate: | Chief Executive Officer |
| Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> 1. Two or more local governments may be agreement join in appointing, employing and remunerating bush fire control officers for the purpose of this Act. 2. Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them. |
| Council Conditions on this Delegation: | <ol style="list-style-type: none"> a. Exercising of delegation to be in accordance with any policies or strategies formally adopted by Council b. That the appoint of “dual” Fire Control Officers to exclude the ability of issuing permits to landholders without prior consent from the Shire of Wyalkatchem in writing. |
| Express Power to Sub-Delegate: | <i>NIL – Sub-delegation is prohibited by s.48(3)</i> |

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| Compliance Links: | Council Policy No. 10.3. – Officers Profile |
| Record Keeping: | Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19 Maintain records of decisions that are in accordance with the Shire's Record Keeping Plan Bush Fire Act 1954 Section 50 |

Version Control:

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