

TERMS OF REFERENCE

Poppy Chairman

The Poppy Manual contains detailed instructions on how to run a poppy campaign. In addition, each year BC/Yukon Command provides Poppy Workshop Notes to Zone Commanders to use as a guide in setting up their annual poppy workshops.

Policies

Poppy Fund Assistance

Having a Legion membership is not a requirement to obtain assistance from the poppy fund. Poppy fund money is trust money raised within the community for use within the community. Poppy funds have to be used to help the clients within the area where the poppy funds money were raised.

If the Poppy Chairman is in doubt about whether a person qualifies for assistance or if there is concern that the person requesting funds is giving false information you can call a Command Service Officer for more information and assistance. PEC members needing assistance are required to apply through the Command Service Officer.

The money collected during the annual Poppy and Remembrance Campaign does not belong to the Legion but the Legion is responsible for these funds. These funds have been contributed by the public in your community to honour the memory of those who paid the supreme sacrifice. In short, the funds are Public funds and the Legion is charged with the trust of overseeing their disbursement in accordance with the *General By-laws* (Branches should refer to the Poppy Manual for information as to proper and improper uses of poppy funds. The *General By-laws* also covers disbursements from the poppy fund). Poppy funds must be spent efficiently; the goal should not be to accumulate the fund for future use. At least 90% of the funds collected each year should be expended.

The most common problem found when conducting poppy audits is that branches still seem to misunderstand the need for prior approval from Command when it comes to ANY special use expenditure under the *General By-laws*. The other common practice is provision of a blanket amount each month to the Service Officer to cover mileage. A chit showing the number of km driven and the rate that is reimbursed for km driven must support reimbursement for mileage. If you have any questions about the process of reimbursing for out of pocket expenses, please contact the Command Accountant.

The BC/Yukon Command conducts poppy audits as a means of ensuring that poppy trust money is handled according to the *General By-laws*. Commands are required to ensure that every poppy fund can stand the scrutiny of the public and the media when it comes to distribution of poppy fund money. If negative publicity occurs as a result of improper handling of any branch poppy fund the whole organization could feel the impact. Branches are asked to cooperate fully when the Command contacts the branch about an internal poppy audit.

Poppy Canvassing

The *General By-laws* state distribution will commence no earlier than the last Friday in October and conclude on 11 November.

Poppy Campaign Modernization

In recognition of the reality that increasing numbers of people do not carry cash, we know that this will begin to impact overall collections. Poppy money is public trust money. All branches are expected to include the information about mobile cell phone donation in their Poppy Campaigns. It is not acceptable for a branch to assume that this method of donation collection is in competition with local fundraising, it is to support the overall giving of all communities into the poppy fund. The target audience for cell phone donations is a fast growing number of people and our organization is recognized as a leader in modernization for offering this option.

Poppies/Wreaths - Exemption from Provincial Tax

Poppies and wreaths are exempt from HST.

Poppy Funds - Registration of Poppy Fund for Income Tax Purposes

Policy established by the Executive Council gives guidelines for branches to apply to BC/Yukon Command for authorization to register poppy funds as a charity. **It is discouraged by Command due to the stringent legal filing requirements and penalties for those who do not file the necessary returns.** The branch must sign a Memorandum of Understanding with Command confirming that they are taking personal responsibility per the specific regulations set by the Canada Customs and Revenue Agency.

Poppy Trust Account

The branch poppy fund **MUST** be kept in a separate account (this must be a "Trust" Account) in a bank and collections from the campaign deposited in this account. (NOTE: cash deposits during the poppy campaign are to be done daily). Signatories for the poppy account must be the same as for the general account as outlined in individual branch by-laws. The annual poppy campaign statement must be submitted to BC/Yukon NO LATER than October 31. A final reconciliation of all poppy funds in BC/Yukon Command must be forwarded to Dominion Command. This is vital because the poppy fund is made up of money received from the public and we must be in a position to give an accounting of our Trust.

Accounts covering purchase of poppy and wreath supplies must be paid to BC/Yukon Command by December 15. Branches should refer to the *Poppy Manual* for further information. The branch is responsible for the administration of its poppy fund and must have control over its disbursements. **THE BRANCH MAY NOT ALLOCATE THIS DUTY TO ANY SUBSIDIARY.**

Ineligible Poppy Fund Expenses

See *Poppy Manual* for a list of expenditures NOT authorized for poppy funds.

Use of poppy fund money for the operation of "Legion Service Bureau" at the branch level is not permissible. However, it should be noted that the long standing policy of BC/Yukon Command is: concerning the payment of expenses for the operation of a Branch Service Bureau, it must be remembered The Royal Canadian Legion was formed for the specific purpose of service to the Veteran. The operation of the Service Bureau is the primary responsibility of the branch and not of the poppy fund.

When it comes to expenses surrounding Remembrance Day and its promotion within the community do not forget that Gaming has given us all kinds of examples of how gaming money can be used for community events including Remembrance Day. If you have any questions, contact BC/Yukon Command.

Guidelines with Respect to Awarding Bursaries from the Poppy Fund

The Executive Council established a procedure for use by branches if they wish to use Poppy Trust Fund money for bursaries. Guidelines are available from the Command office upon request.

Eligibility

Recipients must be children, grandchildren or great grandchildren of ex-service personnel as specified in the *General By-laws*. These are bursaries given on the basis of financial need as opposed to scholarships given on the basis of scholastic ability. Command has a generic type of bursary application and a copy can be provided upon request.

A member of the Executive must interview each applicant. Legion membership within the family is NOT a requirement. Poppy Fund money can be used only to assist students in your geographical area. Remember poppy trust money is to be expended in the community in which they are collected.

You have to use common sense – in most instances you know the families in your communities and their circumstances (particularly in the smaller branches) so exercise common sense. If the community learned you were giving bursaries to students from families with incomes above \$50,000 – the worst we have seen is \$80,000, then perhaps criticism is justified. Whoever is making the decision on selection of candidates has to feel comfortable in their knowledge that “financial need” is a factor.

Cheques for authorized bursaries should be sent directly to the learning institution. Make your cheque payable to that institution and send a cover letter. The reason you should send the cheque to the school is to avoid situations where the student, for whatever reason, has a change in plans and fails to register at the school but has already been given the bursary directly. It is almost impossible to get the funds back under those circumstances. Should the student fail to complete the term, careful consideration must be given to any future applications.

Branches are encouraged to include their bursary poppy fund recipients in any awards ceremony the branch has planned for other donations made to the community.

Bursaries awarded at branch level under these guidelines are reported on the annual Poppy Fund statement filed with the Command office by 31 October. Command reviews the annual statements. If a branch exceeds the authorized amounts, or fails to comply with these guidelines, the branch may be required to reimburse the Poppy Trust Account.

Branches **MUST** safeguard against any conflict of interest or even the perception of a conflict. You have to be particularly careful if an application is received from the family of a member who is on the selection committee. On occasion when this happens the branch member specifically involved is well advised to completely withdraw from any of the selection or decision-making processes. Participating in the selection process only allows for allegations of a conflict of interest at a later date.

It is hoped that in spite of the decision of the BC/Yukon Executive Council to discontinue the Command level Bursary program that through local bursaries given by branches and auxiliaries that the Legion can ensure all children, grandchildren and great-grandchildren of ex-service personnel will get help with their education.

Before a branch can use poppy funds for local bursaries the Certificate of Understanding on the Poppy/Bursary Agreement must be signed and registered with the Command office. If you don't know if you are registered contact the Command Office.

Remembrance Day - Order of Parade

Refer to the *Dominion Command Ritual and Insignia Manual*.

Remembrance Day - Order of Laying Wreaths

Refer to the *Dominion Command Ritual and Insignia Manual*. It is not regular practice for representatives of the Ladies Auxiliary to lay a wreath at a cenotaph on Remembrance Day. It is considered the wreath laid on behalf of The Royal Canadian Legion represents the organization in general. As far as proper protocol, the position of a Ladies Auxiliary representative presents some difficulties. However, it would be acceptable if the L.A. representative and the Legion representative laid their respective wreaths together. The matter is left to local autonomy.

National Essay, Poem and Poster Contest

Schools and branches are provided with promotional material at the beginning of September of each year. Branches are provided with a copy of the mailing as well. The zones that have the most successful level of participation do personal follow-ups. It is suggested that as soon as you receive the mailing you make immediate arrangements to follow-up. The deadline date for submission of entries is:

November 15 - schools to submit to branches

December 15 - Branches to submit to zones

January 15 - Zones to submit to BC/Yukon Command

Zones submit to Command Office only the 1st place entry in each event. Because of the long-standing policy adopted by the BC/Yukon Executive Council it will not be possible for BC/Yukon Command to accept late entries. After January 15 no submissions will be accepted at this office.

BC/Yukon Command Central Poppy Fund

This fund is derived from branch poppy fund assessments on Poppy fund revenue for the Poppy Year. The percentage assessment rate is currently 4.5% and is remitted to Command in two installments: due January 31st and October 31st.

These poppy funds are held by BC/Yukon Command in a Trust Fund and the General By-laws governs expenditures in the same way branch poppy funds are governed.

The purpose of the central poppy fund is to:

- Encourage more liberal expenditures on assistance at the branch level.
- Provide a central fund, from which any branch that conducted an annual poppy campaign and had through proper usage depleted its funds, could apply for and receive immediate replenishment.
- Operate the Command Service Bureau

The central poppy fund is available to replenish branch poppy funds that are depleted through proper usage before the following annual poppy campaign. Grants to individual branch poppy funds cannot be requested for the sole purpose of the branch's wish to make its own special use expenditures.

Replenishment of Branch Poppy Fund

If the branch poppy fund is limited and there isn't enough money to support needy ex-service personnel and their dependents you should apply for a grant from the central poppy fund. You must provide the following information:

- balance at November 1 of the previous year
- receipts from November 1 to the date of application

- breakdown of expenses for same period
- present balance
- amount disbursed in previous year for the period similar to date of application through to 15 November
- an indication of the amount required to support the poppy fund until receipts start coming in from the next poppy campaign

A branch cannot apply for a grant from the poppy fund in order to make special use expenditure under the *Poppy Manual*, replenishment must be for the sole purpose of assisting ex-service personnel in need and their dependants. Requests for reimbursement are processed quickly. There is no delay as long as the above information is provided.

Poppy Trust Funds - "Special Use" Provision

All expenditures involving "special use" provisions require prior approval by a branch general meeting. The branch must provide written confirmation of the authorizing date along with a description of how the funds are to be used. Depending on the applicable section of the *Poppy Manual*, BC/Yukon Command must be provided with the appropriate balance in the poppy trust account.

ALL special use expenditures require the PRIOR approval of BC/Yukon Command – regardless of the amount. The Executive Council has delegated authority to the Executive Director and the Command Treasurer to deal with requests of less than \$5000. Any expenditure involving more than \$5000 must be considered by the BC/Yukon Admin Committee. Approval is all done electronically so approvals are normally processed within a week. This is a requirement of the *Poppy Manual*. To assist branches in making sure full details are provided at the time of request Command has developed a request form. Copies are available upon request from the Command office.

A policy was adopted at the October 2011 PEC meeting that within 30 days of a special use expenditure (SUE) being passed at the branch level, the SUE has to be submitted to BC/Yukon Command office for approval.

The largest portion of the Command Poppy Fund provides the funding to support the Command Service Bureau which includes two professional Service Officers. Both Service Officers carry full workloads in their positions. Between the two they each manage on average 66 active cases in addition to the daily calls on available housing, death benefits, VIP benefits and a myriad of questions related to seniors' issues. These Service Officers also provide direct support to the Branch Service Officers who phone for advice and direction to help the Veterans and seniors in their communities.

The support we provide to Veterans and seniors is the Legions reason for existing. As an organization it is committed to meeting the needs of Veterans, RCMP and their families both serving and retired.

In addition, the Central Poppy Fund is used to cover the expenses of the national literary and poster contest. That means mailing costs to more than 2200 schools in the Command. In addition, there are monetary prizes for the Command winners in each of the categories. There is also a Two Minute Wave of Silence campaign and run the required ad in the Vancouver Sun and Province with respect to the notice to the general public as required by the *Poppy Manual* with respect to potential special use expenditures as authorized under the *Poppy Manual*