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New South Wales Parliament Legislative Assembly

RSL NSW Bill 2018

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I briefly speak to the RSL NSW Bill 2018. In late August I wrote to local RSL club representatives in my electorate of Blue Mountains seeking their views about this bill, as I knew it would be coming up for debate in the September sittings. As members are aware, the proposed bill will repeal and replace the Returned and Services League of Australia (New South Wales Branch) Incorporation Act 1935. I was, therefore, very keen to hear directly from the RSL grassroots in the Blue Mountains about what this bill means for them.

The Katoomba RSL Sub-Branch, in its response to me, explained that it holds concerns about the proposed changes to the voting system for electing State councillors. It makes the point that since 1935 the RSL NSW has been a representative and democratic organisation which works towards charitable purposes and aims. This has been achieved because members are able to elect State councillors to represent regions and localities where their sub branches are located, in much the same way as members of this Chamber are elected to represent various electorates. However, the difference with the RSL and the New South Wales Parliament is that the RSL cannot redraw its sub-branch boundaries to capture a consistent number of members from one area to the next, as we draw electoral boundaries from time to time.

Therefore, the proposed "one member one vote" provisions are of concern to the Katoomba RSL. It is concerned that an unintended consequence of this change will be dominance by Sydney-based sub-branches to the detriment of regional and rural sub-branches elsewhere in the State. The Katoomba RSL Sub-Branch also raises its concerns about the number of directors and the method of their selection. It says, "There is logic in reducing the number of the elected representatives to achieve a more manageable, functional and effective board." But it goes on to say, "The simple mathematics of sections 5 (2) and 5 (5) of the bill permits the possibility of three directors—one elected through the "one member one vote" system and two further directors appointed by that elected director." It has expressed its concerns that this arrangement could lead to cronyism and to the RSL being controlled by unelected and unaccountable non-members.

In the opinion of the Katoomba Sub-Branch, there should be at least eight directors and a maximum of 12 so as to give proper and effective representation to the large and geographically diverse membership of the organisation. Finally, the Katoomba Sub-Branch is concerned that the new bill will move away from the volunteer ethos of the organisation

and bring in salaried director positions. It said, "Remuneration of RSL directors is wrong and contrary to the spirit of the Anzacs and will be detrimental to the character of the organisation." It goes on to make the point that a great many charitable and benevolent organisations across the country attract and retain talented, hardworking and professional directors who donate their time willingly and that this would be the case for the RSL also.

Likewise, Blaxland-Glenbrook RSL Sub-Branch members expressed their concerns to me about board director remuneration. Specifically, they are concerned about the phrase "manifestly excessive". They make the observation that there is no description or definition within the Act that defines the term or provides scope for the restriction it imposes. Therefore, is it any restriction at all? What is there to stop a board director from being paid a salary that is in fact manifestly excessive when there are no parameters limiting their pay? I thank Brian Turner, vice-president of the Katoomba RSL Sub-Branch, and Tom Cowan, honorary secretary of the Blaxland-Glenbrook RSL Sub-Branch, for their feedback on this bill. I encourage Government members to engage earnestly and thoroughly with RSL members in their own electorates.

Whilst the bill is far from perfect, it seeks to make serious improvements to the operation of the RSL organisation at the highest level. Hopefully it will be strengthened by Labor's amendments. The Labor Opposition will not oppose the bill in the Legislative Assembly but will move amendments to remove the requirements to pay directors of the RSL NSW a salary and to change the minimum number of directors from three as drafted to five, with the further requirement that one director be from regional New South Wales.

It is important for this Parliament to closely monitor developments within the governance of the RSL in the coming months and years following this bill, whether the Government adopts our amendments or not, and to ensure that legislation governing the RSL in New South Wales works effectively for its membership and for the communities across New South Wales that rely on its services. I acknowledge and thank all RSL branches and sub-branches in my electorate for their energy and efforts year after year. They are the Blaxland-Glenbrook RSL, Springwood RSL Sub-Branch, Lawson Combined Services Club, Wentworth Falls Bowling Club and Katoomba RSL, and the Blackheath-Mount Victoria RSL Sub-Branch.