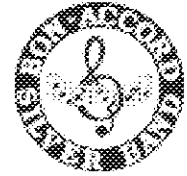


# **Constitution**

## ***Bon-Accord Silver Band***

Revised August 2009



### ***1. Name***

- 1.1. The Band shall be known as Bon-Accord Silver Band and the training Band shall be known as Bon-Accord Silver B Band.

### ***2. Aims and Objectives***

- 2.1. The primary objective of the Band is to advance, improve, develop and maintain public education in and appreciation of the art and science of brass band music in all its aspects by the presentation of public performances. To this end, it shall provide regular rehearsals for its membership in order to continue to improve upon Band and individual playing standards and will compete on a regular basis in Regional and National competitions.

### ***3. Powers***

- 3.1. The Band can do anything that is necessary and within the law to carry out its objects. The Band will have a code of rules for the proper regulation of its affairs (the General Rules of Membership). The Rules may only be altered at the Annual General Meeting or at an Extra-Ordinary General Meeting of Band members.

### ***4. Relationship between the Band and the B Band***

- 4.1. The B Band will function as a feeder for the Band, but will have its own identity for contesting and concert purposes. The Band and B Band will assist each other when required. Administration of both Bands will be by the Management Committee as described below.

### ***5. Trustees & Management Committee***

- 5.1. Trustees

The Trustees of the Band shall at all times be the Chairman, Vice Chairman, Secretary, Treasurer and Band Manager during their term of office.

- 5.2. The business and affairs of the Band shall be led by the Management Committee, assisted by volunteers from the Band.

- 5.3. Management Committee

The Management Committee will consist of five elected positions:

- Chairman                      Elected
- Vice Chairman                Elected
- Band Manager                Elected
- Secretary                      Elected
- Treasurer                      Elected

In addition, there will be typically seven volunteers with duties similar to:

- Fund Raising Co-ordinator
  - Librarian A
  - Librarian B
  - Uniform / Instrument Co-ordinator
  - Percussion / Transport Co-ordinator
  - B Band rep 1
  - B Band rep 2
- 5.4. The Management Committee will meet once every month with the meeting being chaired by the Chairman or his deputy.
- 5.5. The Management Committee may call on Band members to assist with individual events throughout the year. They may also be required to be present at the Management Committee meetings during their period of assistance.
- 5.6. At meetings, minutes will be taken by someone nominated at the meeting and distributed to Band members at the earliest convenient time thereafter.
- 5.7. The Management Committee shall deal with all disputes.
- 5.8. The employment of Musical Directors and any Professional Conductors will be administered by the Management Committee on behalf of the membership of the Band.
- 5.9. The election of the Management Committee shall take place at each Annual General Meeting by nomination. In the event of a vacancy occurring during the year the Management Committee may co-opt a new member, if they desire.
- 5.10. Candidates for the Management Committee must be nominated before the Annual General Meeting. The secretary shall place a nominations form in view of the Band for their nominees. In the absence of advance nominations, nominations will be accepted at the AGM. Any person absent from the AGM may not be nominated unless they have agreed to this in writing prior to the AGM.
- 5.11. All nominees must be members of the Band (see 6.1)
- 5.12. The newly elected Management Committee will assume their positions following the completion of all business at the Annual General Meeting.
- 5.13. Any member of the Band may, at any time, put forward for consideration by the Management Committee suggestions for additional fund-raising events, improvements for the standard of the Band, or amendments to the Constitution (see 11.2). These will be given in writing to a member of the Management Committee, who in turn will take them to the Management Committee meetings.

## **6. Membership**

- 6.1. Membership categories are:
- 6.1.1. Honorary Members, (elected position, non-voting).
  - 6.1.2. A Band Ordinary (playing, voting) Members,
  - 6.1.3. A Band Student (playing, voting) Members
  - 6.1.4. B Band Ordinary (playing, voting) Members,
  - 6.1.5. B Band Student (playing, voting) Members,
  - 6.1.6. Friends of the Band (non-playing, non-voting)

- 6.2. Applications for membership will be reviewed according to the separate “General Rules of Membership” – See appendix 1.
- 6.3. Fees will be set at the Annual General Meeting and are payable by monthly standing order or paid in full one month after the Annual General Meeting. Friend of the Band fee can be paid by cash or by cheque.
- 6.4. Members will be reminded verbally by the Treasurer of fees that fall into arrears. If payment is still not received, the Secretary will issue a written reminder. Failure to make payment timeously may result in cancellation of membership by the Management Committee.
- 6.5. Any Member of the Band may resign his or her Membership provided such resignation is duly intimated to the Secretary of the Band. Any outstanding arrears in fees or fund-raising events will be cleared immediately. There will be no return of fees for a partly completed year.
- 6.6. Visitors may be permitted to listen or play with the Band with the approval of the Management Committee or the respective Band’s Musical Director.
- 6.7. Band members have no title to any of the Band instruments, uniforms, equipment or ancillary items. All such items belong to the Band. Members are expected to take great care of such items whilst in their possession. Band members (or, for junior members, their parents or guardians) are individually responsible for any damage and loss. It is recommended that suitable insurance be taken out by individual members (or parents or guardians). All items will be returned to the Band on leaving or cancellation of Membership. Transfer forms to another Band will not be completed until this has been satisfied.
- 6.8. Playing members of the Band will inform the Musical Director a reasonable time in advance and show due consideration to their Band if asked to perform with other musical organisations.
- 6.9. The Management Committee reserve the right to expel any member of the Band for conduct that might bring the name of the Band into disrepute, for showing disregard for the Rules and/or Constitution of the Band, or being a disturbing influence within the Band.
- 6.10. The Management Committee may propose, at the Annual General Meeting, election of Honorary Member(s), being someone whose services in promoting the interests or welfare of the Band merit the distinction of this honour.

## ***7. Meetings***

- 7.1. The Annual General Meeting shall be held in May of each year at such place and time as the Management Committee may appoint. A period of at least 14 days notice will be given to all members.
- 7.2. The Management Committee will meet once every month as described in 5.4, 5.5 and 5.6, or as may be found necessary.
- 7.3. The Secretary will arrange an Extra-Ordinary General Meeting if requested in writing by 50% of the playing members of the Band, giving at least 14 days notice to all members of the Band. If the Secretary fails to do this within 14 days of receiving the original letter, the requesting members shall convene the Extra-Ordinary General Meeting.

- 7.4. No Business shall be transacted at an Annual General Meeting or Extra-Ordinary General Meeting unless three Elected Members from categories within Rule 5.3 are present.
- 7.5. The business of the Annual General Meeting shall be to receive and consider the Reports of the Management Committee, the Musical Directors, the Accounts and Balance Sheets of the Band and to elect Members of the Management Committee.
- 7.6. No other business shall be transacted at any such meeting unless special notice of such business has been given in the Agenda convening such Meeting.
- 7.7. Each Member is entitled to one vote. No Member shall be entitled to vote at any Meeting unless all monies due from him or her to the Band have been paid. No Member from category 6.1.1 or 6.1.6 is entitled to vote on Band business.

### ***8. Accounts and Audit***

- 8.1. The income and property of the Band whencesoever derived shall be applied solely towards promoting the aims and objectives of the Band as set forth in clause 2. No portion thereof shall be paid or transferred directly or indirectly to any member or members of the Band, except in payment of legitimate expenses incurred on behalf of the Band.
- 8.2. The Treasurer of the Band shall, subject to the instruction of the Management Committee, receive and disburse all monies due to or by the Band, and keep regular books showing the accounts and transactions of the Band. The accounts of the Band shall be made ready by the Treasurer to the end of March in each year, containing an account of the income and expenditure during the preceding year and a Balance Sheet containing a Statement of the financial position of the Band. The accounts shall be certified by an independent auditor appointed by the Management Committee and shall be submitted for approval to the Annual General Meeting. The said Band accounts and Balance Sheet shall be issued at the Annual General Meeting for all members.
- 8.3. All cheques shall be signed by two of the Elected members of the Committee.

### ***9. Rehearsals***

- 9.1. Rehearsals are to be fixed according to accommodation available, and the number of rehearsals to be typically not less than two per week for A Band and one per week for B Band, in consultation with the Musical Directors and the Management Committee. The Musical Directors will be responsible for the conduct of rehearsals. The Musical Directors will be responsible for arranging suitable cover in their absence.

### ***10. Disbandment***

- 10.1. The Band can be dissolved only by resolution at an Annual General Meeting or Extra-Ordinary General Meeting. All members must be given written notification of the resolution proposing dissolution at least 14 days prior to the date of the meeting. The Band shall not be disbanded so long as at least three voting Members of the Band are opposed to that course of action. In the event of disbandment, all Band property will be placed with the trustees, to dispose of the assets to a charitable organisation having similar aims and objectives to those of the Band.

***11. Alteration of Constitution and Rules***

- 11.1. This Constitution shall operate and succeed all previous versions of the Constitution with effect from the date of the Annual or Extra-Ordinary General Meeting at which it is adopted.
- 11.2. No Rule of the Band shall be repealed or altered, or new Rule made except at the Annual General Meeting or at an Extra-Ordinary General Meeting called for the purpose except as hereinafter provided. Notice of any proposal affecting the Constitution of the Band must be given to the Secretary at least 21 days before such Meeting, whether Annual or Extra-Ordinary. A copy of such proposal shall be exhibited at Band Rehearsals at least 14 days prior to any Meeting called for its consideration.
- 11.3. Notwithstanding the foregoing, the Management Committee shall have power to amend the Constitution without reference to a General Meeting, but only for the specific purpose of meeting the requirements of the Office of the Scottish Charity Regulator in connection with achieving or maintaining charitable status. In the event of the Band achieving charitable status, no change may subsequently be made to the Constitution that would have the effect of the Band ceasing to be recognised as a charity.

***12. Obligations***

- 12.1. All Band Members are obliged to adhere to and abide by the Constitution and Rules of Bon-Accord Silver Band. Copies of the Constitution and Rules to be held available by the Band Secretary for inspection by the Members.

***13. Equal Opportunities***

- 13.1. It is the policy of the Band to ensure that all our members and players, both potential and actual, are treated equally and as individuals regardless of colour, race, nationality, ethnic or national origin, religion, political belief, social or economic class, marital or parental status, gender, sexual orientation, age or disability. The Band is committed to eliminating discrimination in our own policies and practices and in any other organisation over which we have some influence.

## **Appendix 1**

***Bon-Accord Silver Band***  
***General Rules of Membership***

## **Membership Rules**

### ***Bon-Accord Silver Band***

This appendix is to set out the General Rules of Membership of the Bon-Accord Silver Band as referred to in Paragraph 6.2. of the Constitution of the Bon-Accord Silver Band.

Applications for playing membership (Categories 6.1.2, 6.1.3, 6.1.4 & 6.1.5 below) can be made to any member of the Management Committee or the relevant Band Musical Director. The process of membership will then be in three stages. The final decision as to continuing membership will take place after the second stage has been reported to the Management Committee for their consideration.

Membership categories are:

- 6.1.1 Honorary Members, (elected position, non-voting).
- 6.1.2 A Band Ordinary (playing, voting) Members,
- 6.1.3 A Band Student (playing, voting) Members
- 6.1.4 B Band Ordinary (playing, voting) Members,
- 6.1.5 B Band Student (playing, voting) Members,
- 6.1.6 Friends of the Band (non-playing, non-voting)

**Stage 1.** The relevant Management Committee Member/Musical Director will inform the full Management Committee of the application for membership at the next scheduled Management Committee Meeting. Once the application is approved the applicant will undergo the second stage.

**Stage 2.** The second stage will be for a test period of 4 weeks where ability, attendance and reliability can be monitored.

**Stage 3.** The third stage will be to inform the applicant, either verbally or in writing, of the Management Committee's final decision and fees due. Fees will be accounted for from the beginning of the first stage and are due within 1 calendar month of confirmation of membership status. The Secretary will inform any person unsuccessful in application for Band membership of the decision in writing. No fees will be due from unsuccessful candidates.

#### **Additional Notes:**

- The Management Committee reserves the right in special cases to grant immediate Membership or immediate refusal of Membership to any applicant.
- Potential members should be encouraged to attend the Band that is most suited to their playing ability however players are free to choose which Band they would wish to attend.
- Decisions regarding seating positions within each Band and the make-up of contest Band personnel will be predominantly made by the relevant Band Musical Director / Professional Conductor however in the event of any dispute the Management Committee will have final say.

For further rules pertaining to Membership please see the full Constitution of the Bon-Accord Silver Band.