

MAGHERAMORNE SILVER BAND

EST. 1882

Constitution

Issue I

1. TITLE

- 1.1 – The organization shall be called "(The) MAGHERAMORNE SILVER BAND", hereinafter called "the Band". The term "MSB" may also be used informally.
- 1.2 – This term shall be extended to encompass any ensembles, learner's class or any other groups formed under the auspices of the Band.

2. HISTORY

- 2.1 – The Band can trace its roots back to September 1882 when members of the local Orange Lodge discussed setting up a band to lead them on parade.
- 2.2 – The website of Magheramorne Silver Band shall be www.magheramornesilver.co.uk and shall be updated regularly according to the advice of the Committee and band members.

3. OBJECTS

- 3.1 – The objects of the Band shall be:
 - a. to provide a service which is mutually enjoyed by the members and the audience for which they perform;
 - b. to educate the public in the Musical Arts and, in particular, the art of brass band playing, and to further the development of public appreciation and taste in the said art by the presentation of concerts and other activities;
In furtherance of the objects, but not otherwise, the Committee shall exercise the following powers:
 - i. to raise funds and invite and receive contributions provided that, in raising funds, the Committee shall not undertake

- any substantial permanent trading activities and shall conform to any relevant requirements of the law;
- ii. to buy, take on lease, or exchange any property necessary for the achievement of the objects and to maintain and equip it for use;
 - iii. to subject any consents required by law to sell, lease or dispose of all or any part of the property of the Band;
 - iv. to subject any consents required by law to borrow money and to charge all or any part of the property of the Band with repayment of the money so borrowed;
 - v. to employ such staff as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants;
 - vi. to cooperate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them;
 - vii. to appoint and constitute such advisory committees as the Committee may deem appropriate;
 - viii. to do all such other lawful things as are necessary for the achievement of the objects.
- c. to advance, in the villages and towns of East Antrim and the surrounding areas, the Brass Band Movement, the playing of brass band music, to provide opportunities to participate in rehearsals, concerts, parades, recording sessions and issue sale of recordings, radio broadcasts, television broadcasts, musical competitions, or other publications, to encourage the commissioning of new works of brass band music either alone or in association with any other organization and/or person or persons, and to train with instruments normally associated with brass bands and to engage or employ any person or persons for these purposes;
 - d. to provide concerts, parades or other entertainments for the benefit of the public or section of the public (whether or not payment is required for the service/admission to the venue) including so doing in order to raise funds for any other Charitable or Philanthropic organisation operating within the above area and the provision of band music for ceremonial occasions and public functions in or around this area;
 - e. to provide facilities and the use of musical instruments for members of the Band and others within the said areas desiring to use the same in such manner as the Committee at its absolute discretion shall from time to time see fit;
 - f. to enter the Band into membership of any Associations, Federations or other bodies formed for the benefit of the Brass Band Movement as the Committee shall from time to time deem beneficial;
 - g. to buy, sell or exchange any music and/or musical instrument and/or other appropriate equipment and/or uniform, in order to fulfil these objects.

4. MEMBERSHIP

- 4.1 – Any person who plays an instrument normally associated with Brass Bands or who desires to receive instruction in the playing of such instruments may request to become a member of the Band. The Committee shall consider and accept or reject such applications. Each and every person accepted in membership will sign a membership form agreeing to the constitution and rules of the Band;
- 4.2 – Applications will be considered from persons under the age of 18 years subject to parental consent in writing. The parents will agree on behalf of the applicant to:
- i. Observe the Constitution and Rules of the Band;
 - ii. Accept directions from the person(s) in charge;
 - iii. Agree that they may be taken to events in which the Band may be performing or attending.
- 4.3 – The Committee shall have the right to expel any member for misconduct, prolonged non-attendance without good cause, or breach of the rules as it sees fit;
- 4.4 – No member shall hold claim to any Band property and, on leaving Membership, must give up all Band property to the Committee. Such property shall be carefully treated at all times and any deficiency or damage be made good by a quitting member. Where appropriate, a quitting member's Band Registration with any Association of Brass bands, or any other Brass Band Registration Authority may be allowed to be retained for contesting purposes;
- 4.5 – It is the policy of the Band that all persons shall have equal opportunity for membership of the Band. The Band welcomes applications for membership and participation in its activities from any individual regardless of age, sex, sexual orientation, race, belief, or physical or mental disability;
- 4.6 – The Executive Committee may, at its discretion, grant Full Membership of the Band to:
- i. The Honorary President ;
 - ii. the Musical Director and Assistant Musical Director;
 - iii. players;
 - iv. non-players who regularly participate in the administration and activities of the Band provided that the number of non-players admitted to membership shall not result in them being a significant proportion of the total number of Full Members.
- 4.7 – The Executive Committee may, at its discretion, grant Life Membership to any Full Member of the Band who has rendered special service to the Band and has completed at least 15 years Full Membership, unless under exceptional circumstances deemed appropriate by the Committee. Life Members shall be entitled to all the rights and privileges of Full Membership;

- 4.8 – The Executive Committee may at its discretion grant Associate Membership of the Band to:
- i. players who have ceased regular playing;
 - ii. persons who support or participate in the activities of the Band.
- 4.9 – Associate Members shall be entitled to attend General Meetings shall not be eligible to hold office, however they may propose or second candidates for office or vote on any agenda item at the prior discretion of the committee. They shall be subject to such special regulations as the Executive Committee may from time to time make regarding Associate Members;
- 4.10 – Membership of the Band may be terminated by:
- i. expulsion by the Executive Committee;
 - ii. resignation;
- according to the Rules of Membership;
- 4.11 – The Secretary shall maintain registers of the names and addresses of Full Members and of Associate Members.

5. ANNUAL SUBSCRIPTION

- 5.1 – The Annual Subscription, hereinafter called the Dues, for Full Members shall be such amount as shall be recommended by the Committee and subsequently approved at a General Meeting by a simple majority of the Full Members present and entitled to vote;
- 5.2 – A reduced Annual Subscription may be determined for Full Members who are students in full-time education or who are aged at least 60 years and have retired from full-time employment. The Honorary President, Vice-Presidents, Conductor, Life Members and Associate Members shall not be required to pay an Annual Subscription;
- 5.3 – Annual Subscriptions shall become due following the Annual General Meeting each year. Payment may be made in four equal instalments, of $\frac{1}{4}$ of the Annual Subscription, due on 1st February, 1st May, 1st August and 1st November. Full payment should be made before the end of the financial year, 31st December;
- 5.4 – Any Full Member who has not paid his Annual Subscription, or instalment thereof, within two months of a due date shall be considered in arrear;
- 5.5 – The Committee on receiving information that any Full Member is unable to pay his Annual Subscription owing to unemployment or other good cause may, at its discretion, excuse payment or determine a reduced subscription for such period as it thinks fit;

5.6 – On election to membership a new member will be liable to subscriptions at the following rates, depending on the date of election, until the next Annual Due Date:

- i) 1st January - 30th June: Full rate
- ii) 1st July - 30th November: ½ rate
- iii) 1st - 31st December: Nil

5.7 – A reduced Annual Subscription may be determined for Full Members who pay their Annual Subscription in full within two months of the due date. The reduction, which shall not exceed 10% of the full subscription payable, shall be recommended by the Executive Committee and subsequently approved at a General Meeting.

6. ATTENDANCE

- 6.1 – Although attendance is asked for at all practices, rehearsals and performances, personal, work and family commitments are recognised and taken into consideration;
- 6.2 – Notice to miss a concert, parade or other performance should be made known to the Conductor and Committee as soon as possible, before the final practice preceding the event at the latest in order to prepare a suitable programme;
- 6.3 – Where possible, the Conductor and Committee should also be advised of absence at band practices in order to prepare a suitable practice structure for those present.
- 6.4 – Attendance shall be recorded at each practice and made available to the Committee or any member on request.

7. ANNUAL GENERAL MEETING

- 7.1 – The Business Year shall be 1st January to 31st December and the Annual General Meeting shall be held before the third week of February at such a time as the Committee may decide. The business to be transacted at the Annual General Meeting shall be:
 - a. to approve the minutes of the last Annual General Meeting and any Extraordinary General Meeting(s) and deal with matters arising therefrom;
 - b. to receive from the Committee the Annual Report on the year's working;
 - c. to receive the Statement of Accounts for the previous year;
 - d. to elect the Honorary President and all officers and Committee members for the ensuing year, (candidates for election must be proposed and seconded by Full Members of the Band or Associated Members / Presidents at the discretion of the Committee);

- e. to appoint the Auditor, (Officers and Executive Committee Members shall be excluded from appointment as Auditor. The Auditor shall be allowed access to all books and records);
- f. to transact any other business relating to the affairs of the Band of which at least 7 days notice has been given and which has been included in the agenda. Business may be accepted without prior notice being given, at the discretion of the Chair and the Committee;
- g. to transact, at the Chair's discretion, any other business relating to the affairs of the Band.

7.2 – Nine Full Members, who are present in person, shall form a quorum;

7.3 – The Secretary shall give not less than 15 days notice of the date, time and place of such meeting, notification to be displayed in the band room. Notice shall be given to members in writing either in hand or by post. The full agenda should be displayed in the band room for one week prior to the meeting;

7.4 – The Committee may invite in writing any member of the public to perform the duties of Acting Chair. The outgoing Chair may also wish to delegate these duties to any non-band member present at the meeting.

7.5 – At all meetings, the Chair shall sign the Minutes of the appropriate previous meeting when agreed as correct.

8. EXTRAORDINARY GENERAL MEETING

8.1 – An Extraordinary General Meeting shall be called by the Secretary in the following cases:

- a. upon the direction of the Committee;
- b. on a requisition signed by five Full Members of the Band stating the special object of the meeting;

8.2 – The meeting shall consider only that business for which it was called;

8.3 - The Secretary shall give not less than 15 days notice of the date, time, place and special object of such meeting, unless the business of the meeting requires urgent attention within fewer than 15 days; notification to be displayed in the band room.

9. VOTING

- 9.1 – At all meetings of the Band, every question shall be decided by a show of hands, or by ballot (if so desired by the majority of those present, seconded), of the Full Members present. The Chair of such meetings shall, in addition to being entitled to vote in the first instance, have a casting vote;
- 9.2 – In accordance with clause 7.1d, elections to offices and honorary positions shall be conducted by the Acting Chair who will receive, either in advance of the meeting or on request, nominations for each post to be filled and seek that they are duly proposed and seconded by the Membership;
- 9.3 – Should there be multiple nominations to one post, or any objections to a nominee, the Acting Chair may wish to make use of the methods detailed in clause 9.1;
- 9.4 – All motions must be duly proposed and seconded;
- 9.5 – Only Full Members shall be eligible to vote. Associate Members and Presidents may vote at the discretion of the Committee.

10. OFFICERS

- 10.1 – The core Officers, who must be Full Members, shall be Chair, Honorary Secretary, Treasurer, and Conductor, all of whom shall be elected at the Annual General Meeting in each year and shall respectively be eligible for re-election if still in Full Membership;
- 10.2 – Full Members present at the meeting may appoint up to a maximum of 4 Committee members in addition to the core Officers;
- 10.3 – Further officers may be elected as Assistant Secretary and Assistant Conductor as required by those present at the Annual General Meeting using the same criteria as in section 8;
- 10.4 – The Band shall also appoint a Librarian and a Child Protection Officer who may be from outside the Committee, using the criteria as stated in section 9. They shall not form part of the General Officer team;
- 10.5 – The Chair shall take the chair at all meetings of the Band. If at any time the Chair is absent, the meeting shall proceed to elect a chair for that meeting from among the Full Members present. Casual vacancies in any of the said offices may be filled by the Committee for the remaining period of that term;

11. MANAGEMENT

- 11.1 – A Committee, elected annually and composed of the core Officers and up to a maximum of four Committee Members, shall discharge all business appertaining to the activities of the Band and shall be empowered to administer such funds as may be placed at the disposal of the Band, including investment and/or borrowing, for the furtherance of the objects of the Band;
- 11.2 – The Committee shall be responsible for seeing that proper accounts are kept of all monies received and expended by the Band and the accounts shall, after audit, be presented to the Annual General Meeting and certified copies of the Statement of Accounts, together with the Auditor's Certificate, shall kept in the Band Hall for at least one month following the Annual General Meeting. The books of accounts and Statements of Accounts must be preserved for at least seven years;
- 11.3 – The Committee shall have powers;
- a. to fill casual vacancies arising of Committee members;
 - b. when desirable, to co-opt additional members for the remaining period of the term;
 - c. to appoint, after full consultation with the membership, the Conductor and Assistant Conductor;
- 11.4 – Co-opted members will not have voting rights on the Committee;
- 11.5 – Only Full Members may exercise voting rights on the Committee;
- 11.6 – Five Members shall constitute a quorum;
- 11.7 – The Honorary President shall have the right to attend meetings of the Committee and may offer advice or personal opinion but may not take vote in any matter.

12. MEETINGS AND PROCEEDINGS OF COMMITTEE

- 12.1 – The financial proceedings of Committee meetings shall be as follows;
- a. the Committee shall hold at least five ordinary meetings each year, not including any meeting held at or on the day of the Annual General Meeting;
 - b. a special meeting may be called at any time by the Chair or any two members of the Committee upon not less than 4 days notice being given to the other members of the Committee of the matters to be discussed;
 - i) if the business of a special Committee meeting includes the appointment of a co-opted member, notice must be given of not less than 10 days.

- c. the Chair shall act as Chair at meetings of the Committee. If the Chair is absent from any meeting, the members of the Committee present shall choose one of their number to be a Chair of the meeting before any other business is transacted;
- d. every matter shall be determined by a majority of votes of the members of the Committee present and voting on the question. In the case of equality of votes the Chair of the meeting shall have a second or casting vote;
- e. the Committee shall keep minutes in an adequate manner of all meetings of the Committee and any sub-committee;
- f. the Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution;
- g. the Committee may appoint one or more sub-committees consisting of one or more members of the Committee for the purpose of making any inquiry or supervising or performing any function or duty which, in the opinion of the Committee, would be more conveniently undertaken or carried out by a sub-committee provided that all acts and proceedings of any such sub-committees shall be fully and promptly reported to the Committee;
- h. any person in membership may be co-opted by the Committee at any time in order to serve on the Committee for any length of time required in order to provide any specialised knowledge or skill as may be required from time to time. Such members shall not have voting rights in the Committee;
- i. any vacancy that may arise on the Committee must be first filled by co-option of the next eligible nominee from the last Annual General Meeting according to the votes cast. In the event of a refusal of such co-option then it will be extended to the next eligible. In the event of such co-option by this method by all persons eligible in turn, then co-option shall be offered to any willing available member;
- j. the Committee may offer the honorary positions of President and Vice-Presidents to a suitable person who shall hold such office until the next Annual General Meeting. Such nominations may be made to persons not in membership of the band;
- k. no member or members of the Committee shall be held personally responsible either jointly or severally for:
 - i) any debt incurred on behalf of or by the Band
 - ii) any legal liability, either civil or criminal, incurred by any other member of the Committee and/or Band Membership as a whole.
- l. the Committee may authorise honorariums for the services to Test Valley Brass and to make donations within the objects of Test Valley Brass as may be thought appropriate. Subscriptions may be levied upon the membership as may be approved at the Annual General Meeting;
- m. Any band member may request a Committee meeting or an audience with the Committee.

13. FINANCE

- 13.1 – The financial year shall end on 31st December each year;
- a. all income derived from whatever source will be deposited in a current account in the name of the Band from which all running costs of whatsoever nature will be paid – these to include expenses incurred by officers or members and authorised by the Committee. Deposits or other accounts in the name of the Band may be authorised by the Committee. All cheques and other banking documents shall require at least two authorised signatories;
 - b. the Band may receive donations, grants in aid and financial guarantees and may levy charges for its services. Tickets for all or any of the Band's concerts and other events may be offered for sale to the public;
 - c. the income of the Band, whencesoever derived, shall be applied solely toward promoting the objects of the Band and no portion thereof shall be paid or transferred, either directly or indirectly, to any member or members of the Band, except in payment of legitimate expenses incurred on behalf of the Band. This rule shall not prevent the payment of a reasonable and proper remuneration to any member, officer or servant of the Band;
 - d. cheques shall be signed by any two of the following officers of the Band: Chair, Treasurer, Secretary, or any other member subsequently chosen by the Committee;
 - e. all expenditure shall be authorised by the Committee;
 - f. the audited accounts of the Band shall be prepared annually for each financial year and be submitted to the Annual General Meeting for approval.

14. RULES AND REGULATIONS

- 14.1 – the Committee may, from time to time, make, amend or rescind Rules and Regulations that the Committee consider expedient for the proper and efficient management of the Band, provided always that such Rules and Regulations shall not be inconsistent with this Constitution.

15. PRESIDENT & VICE-PRESIDENTS

- 15.1 – the President shall be proposed, seconded and duly elected at the Annual General Meeting by Full Membership. The post of President and the list of Vice-Presidents shall be considered annually at said meeting;
- 15.2 – the President shall not be a member of the band;

- 15.3 – Vice-Presidents shall be elected in the same manner. There shall be no limit to the number of positions conferred by the Band;
- 15.4 – the role of the President and Vice-Presidents shall be honorary, supporting the band in its objects, taking an active interest in the life of the band and, where appropriate, assisting the Committee when required;
- 15.5 – appointment as President or Vice-President shall not confer membership of the Band.

16. ALTERATION TO THE CONSTITUTION

- 16.1 – The constitution may be altered only at a General Meeting;
- 16.2 – Any alteration must be submitted to the Secretary in writing and bear the signatures of the proposer and seconder;
- 16.3 – Notice of any proposed alteration shall be posted in the band room for at least 14 days previous to the meeting.
- 16.4 – Any alteration shall require the votes of at least two-thirds of the Full Members present at such meeting.
- 16.5 – No alteration to the constitution is valid if it is inconsistent with the objects of the Band.

17. DISSOLUTION CLAUSE

- 17.1 – a resolution to discontinue the work of the Band shall be considered at a General Meeting of which proper notice has been given and at which not less than one half of the Full Members shall be present. If passed, any property and monies belonging to the Band, after payment of expenses and liabilities properly incurred, shall not be distributed to its members, but shall be devoted to some charity or charities having objects similar to those of the Band, or to some other charity.

18. FINAL STATEMENT

18.1 – this constitution, approved at the Annual General Meeting held on the 20th day of January, 2009, replaces any and every former constitution.

18.2 – each member shall be given a copy of this Constitution, the Rules and Regulations, the Equal Opportunities Policy and the Child Protection Policy of the Band. These shall be the binding laws and guidelines of the Band;

1. TITLE

Date: 20/01/2009

Signed T. J. [Signature] (Chair)

Rachel Brodison (Secretary)

- Appendix 1: Rules and Regulations
- Appendix 2: Equal Opportunities Policy
- Appendix 3: Child Protection Policy
- Appendix 4: Reporting/Whistle-Blowing Procedures
- Appendix 5: Safeguarding Statement