BIGGIN HILL CONCERT BAND

Constitution and Rules of the Band

1. **Name**
The Band is called The Biggin Hill Concert Band (the Band)
2. **Objects**The objects of the Band are:

2.1 To encourage the association of musicians of all levels to meet and make music, to rehearse and give recitals and concerts and to join with other Societies both instrumental and choral in joint ventures of a like nature

2.2 To give advice and assistance and encourage individual members to improve their skills

2.3 To raise the standard of the Band as a wind band

2.4 To promote the appreciation and enjoyment of music

2.5 To further such charitable purpose or purposes as the Committee in their absolute discretion shall think fit but in particular through the making of grants and donations

1. **Conditions of membership**

3.1 Prospective new members of the Band shall be invited to play in three rehearsals after which a sub-committee of the Musical Director and three Committee Members shall decide whether to invite the proposed new member to join the Band

3.2 On acceptance the new member shall be given a copy of the Constitution and Rules of the Band and advised of the annual subscription and other charges which must be paid immediately

**4. Management and Officers**

4.1The Band shall be managed by a Committee of the Members which shall be elected annually by the Members in General Meeting to hold office for the calendar year following their election.

The Committee shall consist of the Chairman, Secretary, Treasurer, Librarian, and up to three other members. The Committee shall be empowered to co-opt or otherwise appoint a member to carry out roles such as Minute Secretary, Publicity Manager, Social Secretary, or such other roles as it may determine are from time to time required.

4.2 All committee members shall be entitled to offer themselves for re-election at each Annual General Meeting.

4.3 All the arrangements for the concerts and other events and the control of finance shall be in the hands of the Committee

4.4 In furtherance of the objects but not otherwise the Committee may exercise the following powers:

(i) power to raise funds and to invite 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) power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip it for use

(iii) power, subject to any consents required by law, to borrow money and to charge all or part of the property of the Band with repayment of the money so borrowed

(iv) power to employ such staff (who shall not be members of the Committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and super-annuation for staff and their dependents

(v) power to co-operate 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

(vi) power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects

(vii) power to appoint and constitute such advisory committees as the Committee may think fit

(viii) power to do all such other lawful things as are necessary for the achievement of the objects

4.5 The Committee shall hold at least 2 ordinary meetings each year. A special meeting may be called at any time by the Chairman, or by 2 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 but if the matter includes the appointment of a co-opted member then not less than 21 days’ notice must be given

4.6 The Chairman shall act as chairman at the meetings of the Committee. If the Chairman is absent from any meeting, the members of the Committee present shall choose one of their number to be Chairman before any other business is transacted

4.7 Every matter shall be determined by a majority of votes of the members of the Committee present and voting on the question, but in the case of equality of votes, the chairman of the meeting shall have a casting vote.

4.8 The Committee shall keep minutes of the proceedings at meetings of the Committee and any sub-committee, and shall ensure that these are safely stored, and that they are available for inspection as required

4.9 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

4.10 The Committee may appoint one or more sub-committees, consisting of three or more members of the Committee, for the purpose of making any enquiry 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-committee shall be fully and promptly reported to the Committee

**5. Music Director**

5.1 The committee shall appoint a Music Director responsible for all musical matters relating to the Band’s performances including (but not necessarily limited to) conducting and directing rehearsals and public performances and establishment of musical standards.

5.2 The appointment shall be confirmed in writing following:

(a) satisfactory completion of a trial period during which the invitee shall conduct at least two rehearsals;

(b) the Committee being satisfied on such matters as it deems appropriate; and

(c) consultation with members

5.3 The appointment shall be for an initial period of six months but may be extended indefinitely subject to the rights of termination set out below

5.4 The Music Director shall be entitled to recover reasonable out-of-pocket expenses properly incurred in carrying out his/her responsibilities

5.5 The Music Director shall be entitled ex-officio to attend and speak at committee meetings in a non-voting capacity

 5.6 The appointment may be terminated at any time by either party without notice or cause. Upon termination, the Music Director shall return any assets belonging to the Band then in his/her possession and shall be entitled to receive reimbursement of any outstanding claim for the recovery of expenses properly incurred. The committee shall be empowered to fill any vacancy as it sees fit pending the appointment of a replacement Music Director in accordance with this clause.

6. **Selection and purchase of music**

 The purchase of new music will normally be an ongoing process, subject to available funds. Selection of music

 will involve the Music Director in consultation with members who have indicated an interest and/or have made

 suggestions for new pieces.

**7. Membership Fees**

7. 1 The annual subscription shall be such a sum as is recommended by the Committee and agreed by the Members in General Meeting and shall be due on 1 January in each year and be paid as soon as possible thereafter

7.2 New Members of the Band will be expected to pay a pro rata subscription after three attendances.

**8. Resignation**A Member wishing to resign from or leave the Band must give notice of his/her intention in writing to the Secretary. A pro rata refund of the annual subscription shall be paid, on request, to any Member leaving the Band .

**9. Expulsion**
At the discretion of the Committee any member may be expelled from the Band who offends against the Constitution and Rules of the Band or whose conduct in the opinion of the Committee renders him/her unfit for membership or whose playing is unsatisfactory. The Committee has the power to terminate the membership of any individual, provided that the decision of the Committee (with the exception of (i) the individual concerned if a member of the Committee and (ii) any member of the Committee making or connected with the complaint against the individual) is unanimous both as to the termination and as to there being good reason for it, and provided that the individual concerned shall have the right to be heard by the Committee, accompanied by a friend if desired, before a final decision is made.

**10. Alteration of the Constitution and Rules**

No alteration or addition to this Constitution and Rules may be made except by resolution carried by a majority of two thirds of the Members voting in General Meeting, notice of which contained particulars of the proposed alterations or additions

**11. Bye-Laws**The Committee may make Bye-Laws (not in conflict with this Constitution) to regulate the conduct and affairs of the band

The Bye-Laws must be notified to and then shall be binding upon the members

**12**. **General Meetings**

 An Annual General Meeting of the Band (AGM) must be held every year, not later than 60 days after the date of the financial year end of the Band, 31August, by which time the Treasurer must have finalised the audited Accounts for the previous year. Notice convening any General Meeting, including an AGM, must be sent or posted to the Members not less than 14 days before the date of that General Meeting together with an agenda of items to be tabled at the Meeting. The AGM will:

12.1 Receive and, if approved, adopt a statement of the audited Accounts of the Band for the relevant period

12.2 Appoint members of the Committee

12.3 Appoint an Auditor who shall be suitably qualified and will examine the annual accounts for the past year and will make a report and proposals to the Committee

12.4 Consider and, if approved, sanction any duly made alterations and/or additions to this Constitution and Rules

12.5 A General Meeting may be called for by the Committee or at least one third of the members submitting such a request in writing to the Committee. The Secretary will arrange for notice convening such a Meeting to be sent or posted to the Members not less than 14 days before the date of that Meeting together with an agenda of items to be tabled at the Meeting. Resolutions will be passed by a simple majority of votes of those members present plus any proxy votes. Any Member acting as a proxy for another absent Member must produce written authority from that absent Member to vote on their behalf

12.6 The secretary or other person specially appointed by the Committee shall keep a full record of the proceedings at every general meeting of the Band

**13. Chairman’s Casting Vote**
At Committee Meetings and at General Meetings the Chairman will preside or in his absence a Chairman must be appointed to preside and he/she will have a casting or additional vote in the event of equality of votes

**14 Quorums**

The following Members are required to form a quorum:

At Committee meetings four of the Committee which must include any two of the Chairman, Treasurer and Secretary

At General meetings, whichever is greater of twelve members which must include four members of the Committee including the Chairman and the Treasurer or their nominee(s) or 10% of the members of the Band

**15. Nominations for Committee Members**

15.1 The Secretary shall arrange for nominations to be received by him/her in sufficient time for the nominations and voting papers to be circulated to the Members at least 14 days before the General Meeting together with the notice convening the General Meeting

15.2 Each nomination must be made by at least two Members to be valid and the Member nominated must have agreed to stand

15.3 The voting papers must state the vacancies to be filled, the names and positions of the retiring Members of the Committee offering themselves for re-election and the names of other nominees, together with the relevant position for which they are standing

15.4 Each member must vote by making a mark against the names of those persons he/she wishes to fill the vacancies, folding the voting paper and handing it in

15.5 Any Member acting as a proxy for another absent Member must produce written authority from that absent Member to vote on their behalf

15.6 The votes for each name must be counted and the vacancies filled with those with the most votes

15.7 Two scrutineers must be appointed who shall declare the number of votes in favour of or against each proposal

**16. Finance**

16.1 A bank account in the name of the Band will be opened

16.2 At least three Committee Members must be authorised by resolution of the Committee to sign cheques and the bank shall be instructed to honour cheques signed by any two of them

16.3 A copy of the authorising resolution signed by the person who chaired the Meeting at the time the resolution is passed is sufficient authority to the bank

16.4 No expense or liability shall be incurred by any Member without the previous resolution of the Committee and no expense or liability in excess of £400 other than for routine administration expenses and purchase of music shall be incurred unless agreed by the Treasurer and three Committee Members in advance and such expense shall be reported to the next Committee Meeting and ratified by the Committee

16.5 The financial year shall run from 1 January to 31 December.

16.6 The income and property of the Band whencesoever derived shall be applied solely towards promoting the objects of the Band as set forth above 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

**17. Disposal of Assets on Dissolution**If the Band is dissolved or discontinued the balance in the bank account, after payment of the expenses, and other assets (e.g. music, instruments, uniforms) must be transferred to another institution having similar objects to those of the Band or to a Charity or Charities agreed by resolution of the majority of the Members at the last Committee Meeting

**18. Honorary Members**
The election of an Honorary Member shall be made by the decision of a majority of the Committee at a Committee Meeting attended by at least five Committee Members

**19. Equal Opportunities**

No individual shall be excluded from membership of the Band or debarred from any official capacity on the Committee on the grounds of sex, race, colour, age, religion, sexual orientation, disability or political affiliation