

SOUTH ULSTER COMMUNITY BAND

BAND CONSTITUTION

1. The Band

- 1.1. The Band shall be known as The South Ulster Community Band (hereinafter called "The Band") and membership shall be open to all members of the community who can demonstrate a satisfactory level of musical ability, or in the case of non-playing members (otherwise known as Vice Presidents) a willingness to contribute to the Objects of the Band.
- 1.2. The Band shall operate an Equal Opportunities Policy in accordance with the guidance models as issued by the Equality Commission and the Northern Ireland Council for Voluntary Action.

2. Objects

- 2.1. To gain recognition for the Band and instil in our community a sense of pride by promoting, through a cross-community Band, a wide variety of music for all occasions and all sections of our community.

3. Musical Direction

- 3.1. Band rehearsals shall be run under the direction of a Musical Director.
- 3.2. The Band Committee shall appoint the Musical Director, whose qualifications shall be such as to further the objectives of the Band.
- 3.3. The terms and conditions of the appointment shall be placed in writing, and signed by both the Chairman of the Committee and the appointee.
- 3.4. The terms and conditions of the appointment must be reviewed annually.
- 3.5. The Musical Director will be vested with certain duties and responsibilities by the Band Committee and these shall be laid down in the agreement.
- 3.6. The appointment may be terminated by either party upon 1 months written notice.
- 3.7. The Musical Director shall, with the agreement of the Band Committee, be responsible for program planning, the management of rehearsals and the audition and admittance of players.
- 3.8. In his unavoidable absence from rehearsals or public performances, the Musical Director shall, with the agreement of the Band Committee, be responsible for the appointment of a substitute temporary Conductor.

4. Band Management

- 4.1. The business and affairs of the Band shall be under the management of a governing body (hereinafter called the "Band Committee").
- 4.2. The Band Committee shall consist of an Honorary Chairperson, an Honorary Secretary, an Honorary Treasurer and four Committee members. The Musical Director and the Honorary President shall be ex-officio members of the Committee. All officials will be members of the Band. These will be elected for not less than one

SOUTH ULSTER COMMUNITY BAND

- year by the general body of members at their Annual General Meeting in accordance with procedure hereinafter set out.
- 4.3. The Band Committee shall meet regularly to attend to the affairs of the Band. Five members shall form a quorum.
 - 4.4. Should a vacancy occur on the Band Committee during the year, the Committee may, at its discretion, co-opt a member to fill that vacancy. The total number of co-opted members must not exceed one fourth of the Committee.
 - 4.5. The Band Committee may appoint persons to carry out specific duties necessary for the efficient running of the Band. These may include Librarian, Auditors, Child Welfare Officer, Webmaster etc. and such other posts as from time to time may be considered appropriate, but such posts do not entitle their holders to full voting Band Committee membership.
 - 4.6. The Band Committee shall have the power to make, from time to time, such by-laws and regulations (consistent with these general rules) as they may think necessary for the well-being of the Band and shall have the power to appoint sub-committees for specified functions.
 - 4.7. The Band Committee has the power to terminate the membership of any individual, whose conduct within or without the Band, the Band Committee consider to be injurious to the character and interest of the Band, provided that the decision of that Committee (with the exception of (i) the individual concerned, if a member of the Band Committee and (ii) any member of the Band 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 Band Committee, accompanied by a friend if desired, before a final decision is made.
 - 4.8. The Annual General Meeting shall be held during the month of September of each year for the following purposes:
 - 4.8.1. To receive the report of the Band Committee.
 - 4.8.2. To receive a Statement of Accounts.
 - 4.8.3. The general body of the Band shall elect a Chairperson and other Officers of the Band Committee for the subsequent year.
 - 4.8.4. To decide on any resolution submitted to such a meeting as hereinafter provided.
 - 4.8.5. To make recommendations to the Band Committee and whenever necessary to vote on proposals to amend this Constitution.
 - 4.8.6. Notice convening the Annual General Meeting shall be sent to all members at least 21 days before such meeting can take place.
 - 4.8.7. Any member wishing to move a resolution at the Annual General Meeting shall give notice in writing to the Secretary at least 14 days before the date of such meeting and the Secretary shall inform Band Members, showing the names of the proposer and seconder at least 7 days before such meeting is convened.

SOUTH ULSTER COMMUNITY BAND

- 4.8.8. Band subscriptions shall be at a rate as proposed by the Band Treasurer, circulated as a Notice of Motion as set out in 4.8.7 above. Once agreed at the September Annual General Meeting the subscriptions shall become due on the 1st October each year.

5. Special Meetings

- 5.1. A Special General Meeting (also known as an Extraordinary General Meeting), of which at least 14 days' notice must be given to members, may be called for by the Band Committee or upon written request to the Secretary signed by at least 5 members of the Band. The notice must state the business to be discussed

6. Dismissal of the Band Committee

- 6.1. The membership may dismiss the Band Committee through a vote of non-confidence. Such a vote must receive a three-quarter (3/4) majority at a Special General Meeting called in accordance with 5.1 above.
- 6.2. At the same meeting at which a Band Committee is dismissed, the membership must appoint an Interim Manager, by nomination and majority vote. The appointee is authorized to take charge of the affairs of the Band until a new Band Committee is elected, and to exercise all of the powers of the Band Committee until that time.
- 6.3. The dismissed Band Committee must turn over to the Interim Manager, as soon as possible, all documents and materials, etc., in their possession which are the property of the Band.
- 6.4. An Interim Manager shall call a meeting for the purpose of electing a new Band Committee. The meeting shall take place within three weeks of the dismissal of the previous Band Committee.
- 6.5. At the meeting called under Section 6.4, a new Band Committee shall be elected to serve the remainder of the term of the dismissed Band Committee.

7. Rules of Procedure at all Meetings

- 7.1. The Chairperson shall act as chairperson at general meetings. In their absence, the members of the Band Committee present shall choose one of their number to be chairperson before any other business is transacted.
- 7.2. VOTING
- 7.2.1. All questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote thereat. No member shall exercise more than one vote notwithstanding that he or she may have been appointed to represent two or more interests but in the case of equality of votes the Chairperson shall have a second or casting vote.
- 7.2.2. PROXY VOTING - In pursuance of 7.2.1 above, no member may have their vote recorded by proxy.
- 7.3. QUORUM
- 7.3.1. Five members shall form a quorum at meetings of the Band Committee. One quarter of the Band members at the time shall form a quorum at an Annual General Meeting of the Band.

SOUTH ULSTER COMMUNITY BAND

7.4. MINUTES

- 7.4.1. The Band Committee shall ensure that Minute books be kept by all Committees and Sub-committees and that the requisite Secretary will enter therein a record of all proceedings and resolutions.
- 7.4.2. The Band Secretary or other person specially appointed by the Band Committee shall keep a full record of proceedings at every general meeting of the Band.

7.5. ACCOUNTS

- 7.5.1. The Band Committee shall ensure that proper accounts and books shall be kept showing the financial affairs and receipts and disbursements of the Band.

7.6. FINANCE

- 7.6.1. All monies raised by or on behalf of the Band shall be applied to furnish the objects of the Band and for no other purpose.
- 7.6.2. The Honorary Treasurer shall keep proper accounts of the Band finances.
- 7.6.3. The financial year of the Band shall end on the 31st August to which day the accounts of the Band shall be balanced.
- 7.6.4. The Committee shall appoint two co-signatories with the Treasurer for all Band expenditure.

8. **Membership and Attendance**

- 8.1. Membership is for one year only, on a seasonal basis with prospect of renewal. There shall be two categories of membership of the Band: Playing Members and Non-Playing members (otherwise known as Vice Presidents). All applications for membership must first be considered and approved by the Band Committee and, if accepted, members shall pay an annual subscription at a rate to be determined by the Band Committee. Only Band members who are not in arrears are eligible: (i) to a vote at an Annual/Extraordinary General Meeting and (ii) to be elected to Committee office.
 - 8.1.1. Any playing member who is absent from rehearsal on three consecutive occasions without due cause or without giving notification will automatically cease to be a member, In any given year the minimum acceptable attendance will be 85% of rehearsals and concerts.
 - 8.1.2. Each playing member of the Band is expected to be present for all rehearsals and engagements as advised by the Musical Director and/or the Band Committee. If any such member cannot attend a rehearsal, he or she must contact the Musical Director or a designated member of the Committee before the rehearsal.
- 8.2. Band subscriptions shall be payable to the Honorary Treasurer either in full or by installments and must be completed on or before 1st December of that year. Members in default at that time will be deemed to have resigned their membership.

SOUTH ULSTER COMMUNITY BAND

- 8.3. The Band and its members may engage in fund raising activities with the prior approval of the Band Committee including, inter alia, fee paying concerts, sponsorship agreements and grant and donation applications. All monies so raised will be lodged by the Honorary Treasurer in a bank or building society account held in the name of the South Ulster Community Band. The Band Committee shall have absolute discretion to use all monies raised as it sees fit to meet Band expenses and for the betterment of the Band. This discretion shall not take precedence over, nor prejudice in any way, any terms, conditions or restrictions attached to any monies paid to the Band by way of donation, grant or otherwise.
- 8.4. The Band dress for public performance shall be as stipulated by the Committee.

9. Membership Responsibilities

- 9.1. Each Band member shall be totally responsible for the holding of and maintaining in good condition any musical instrument, accessory and all sheet music provided to the same such member. Undue wear and tear to any such item, without a satisfactory explanation, may require the member to make good or replace the item(s) at the discretion of the Band Committee.
- 9.2. Musical Instruments owned by the Band should be used for no other purpose than for personal practice, Band rehearsals or Band performances unless prior agreement has been sought and granted by the Band Committee.
- 9.3. Any loss of music by a band member must be reported to the Musical Director and may have to be replaced at the member's expense. Loss of any other property must be reported immediately to the Band Committee.
- 9.4. Upon ceasing to be member, for any reason, all property must be returned within one week.

10. Musical Instruments & Accessories

- 10.1. The Band Committee shall, in conjunction with the Trustees, endeavour to provide and maintain as required, instruments and accessories to a high quality. These instruments and accessories shall be under the control of the Band Committee. The Band Committee shall be responsible for the insurance, security, storage and proper repair of all instruments and shall keep proper records including current valuation of the same. No instrument repair or modification shall be carried out without the approval of the Band Committee.

11. Transport

- 11.1. For normal engagement occasions transport shall be the members' own responsibility. It shall be each vehicle owner's responsibility to ensure that proper insurance is in operation on the particular vehicle in regard to third party risks. The Band Committee accepts no responsibility for any accident incurred while travelling to or from an engagement.
- 11.2. Exceptionally, the Band Committee shall endeavour to provide transport when deemed necessary.

12. Trustees

- 12.1. There shall be not less than 3 nor more than 5 Trustees of the Band who shall be appointed from time to time as necessary by the Band Committee from among the Members who are willing to be so appointed. A Trustee shall hold office during his

SOUTH ULSTER COMMUNITY BAND

lifetime or until he shall resign, by notice in writing given to the Band Committee, or until a resolution removing him from office shall be passed at a meeting of the Band Committee by a majority comprising two-thirds of the members present and entitled to vote.

- 12.2. The title of all Instruments, Assets, Funds and property which may be acquired by or for the purposes of the Band shall be vested in the Trustees.
- 12.3. In the event of the death, resignation, or removal from office of a Trustee, the Band Committee shall nominate a new Trustee in his place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the Honorary Secretary for the time being is hereby nominated as the person to appoint new Trustees of the club and he shall by Deed duly appoint the person or persons so nominated by the Band Committee.
- 12.4. The Trustees shall in all respects act, in regard to any property of the Band held by them, in accordance with the directions of the Band Committee for the benefit of the Band in compliance with the Band Committee's directions .
- 12.5. The Trustees shall be effectually indemnified by the Band Committee out of the assets of the Band from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Band vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Band.
- 12.6. The liability of the Trustees for the performance of any contractual or other obligation undertaken by them on behalf of the Band shall be limited to the assets of the Band.

13. Dissolution

- 13.1. If the Band Committee decides at any time by a simple majority that on the grounds of expense or otherwise it is advisable or necessary to dissolve the Band, it shall call a meeting of all members of the Band who have the right to vote, of which meeting not less than 28 days notice, stating the terms of the resolution being proposed thereat, shall be given in writing to all members having such right to vote.
- 13.2. If such decision shall be confirmed by a simple majority of those present and voting at such meeting, the Band Committee shall, subject to the approval and discretion of the Trustees, have the power to dispose of any assets held by or in the name of the Band. Any assets remaining after the satisfaction of proper debts and liabilities shall be appropriately disposed of by the Trustees.

14. Alteration to the Constitution

- 14.1. Any proposal to alter the Constitution must be delivered in writing to the Secretary of the Band not less than 28 days before the date of the Annual General Meeting or a properly convened Special General Meeting. The Secretary will subsequently inform, in writing, all members and Trustees of the proposed alteration not less than 14 days before the date of the Annual General Meeting or a Special General Meeting.

SOUTH ULSTER COMMUNITY BAND

- 14.2. Constitutional changes may not be brought up under the item of 'Any Other Business'.
- 14.3. Any such alteration will require the approval of:
- 14.3.1. A simple majority of members present and voting at the General Meeting as above.
- 14.3.2. The Trustees who have been appointed in accordance with clause 12 hereof.

This Constitution was adopted as the Constitution of South Ulster Community Band at a general meeting of members duly convened at

Portadown Integrated School

Date: 9th September 2010

Signed:	J. CULLEN	(Chairperson)
Signed:	R. JOHNSTON	(Secretary)
Signed:	W. K. TURNER	(Trustee)
Signed:	R. B. CRAWFORD	(Trustee)
Signed:	E. J. A. JARDINE	(Trustee)
Signed:	A. MITCHELL	(Trustee)
Signed:	J. CULLEN	(Trustee)