

# SOMERSHAM TOWN BAND

## Constitution

The Charity shall be called "Somersham Town Band" comprising of Somersham Town Band and Somersham Town Band Training Band.

### **A. Statement of Intent**

1. Somersham Town Band is a non-profit making organisation. All funds raised by performance or any other means are used solely for the benefit of the Band.
2. The Band shall not take part in any political fete or strike or lock-out.
3. Somersham Town Band welcomes into membership all who share, or may come to share, the love of music, irrespective of age, gender, race, disability or sexual orientation.
4. On any occasion when the Band is together for practise, or on any engagement, they are to hold themselves as under the direction and control of the Musical Director and no criticism of his actions or directions/instructions should be made.

### **B. Objectives**

1. To educate prospective musicians of all ages in the skills, art and science of music as performed by traditional brass bands.
2. To promote and educate the public in the musical arts with particular reference to music presented by brass bands, by means of concerts and other related activities, keeping the traditions of brass banding in the Huntingdonshire area.

### **C. Members Defined**

1. A Band member is one who plays in the Band and holds a paid-up subscription
2. An Associate Member is either:
  - a) an active supporter of the Band who is invited at the discretion of the Executive Committee to become such a member OR
  - b) a parent of a child under the age of eighteen years who plays in the Band and holds a paid-up subscription
3. An Associate Member is to be sent a letter by the Executive Committee Secretary at the first meeting after the Annual General Meeting, inviting that person to become such a member for the following year
4. Associate Membership is to be reviewed annually.
5. The positions of Honorary members i.e. President and Vice Presidents will also be reviewed and recognised by the Committee at the first meeting after the Annual General Meeting.
6. The Executive Committee may by unanimous vote and for good reason terminate the membership of any individual: Provided that the individual concerned shall have the right to be heard by the Executive Committee. Accompanied by a friend, before final decision is made.

#### **D. Voting Rights Defined**

1. The following persons hold the power to vote at an Annual General Meeting:
  - a) A Band member over the age of eighteen years
  - b) An Associate Member – see C2 a)
  - c) An Associate Member – see C2 b) (NB. One parent per one child playing in the Band is eligible to vote)
  - d) Honorary Members, i.e. President and Vice Presidents
2. Once a Band member reaches the age of eighteen years the Associate Membership of the parent ceases and the voting rights is transferred to that Band member.

#### **E. The Executive Committee**

1. For the purpose of discussion of Band business The Executive Committee shall consist of a Chairman, a Vice Chairman, a Treasurer, a Secretary, an Engagement Secretary, a Librarian, a Supporter's Representative and at least four other members of the Band. The quorum shall consist of six of the above.
2. The Musical Director shall be an ex-officio member of the Committee to attend meetings as required.
3. The Executive Committee has the power to co-opt three Band members or Associate members to the Committee for the term of Annual General Meeting to Annual General Meeting.
4. Officers of the Executive Committee shall be elected at each Annual General Meeting.
5. The Honorary Treasurer shall keep proper accounts of the Band. The accounts shall be audited at least once a year by the auditor or auditors appointed by the Annual General Meeting. An audited statement of the accounts for the last financial year shall be submitted by the Committee to the Annual General Meeting aforesaid. An Account shall be held in the name of the Band and the signature of two Committee Members shall be required for transfers. The Committee shall authorise the Honorary Treasurer to raise cheques on behalf of the Band
6. Officers of the Executive Committee are eligible to claim expenses incurred in the running of the Band.
7. Minutes shall be kept of all Band meetings. The minutes of all meetings to be distributed or read out to all other Band members.
8. A member of the Executive Committee shall cease to hold office if he or she:
  - a) is disqualified from acting as a member of the Executive Committee by virtue of Section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of the provision)
  - b) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs
  - c) is absent without permission of the Executive Committee from all their meetings held within a period of six months and the Executive Committee resolve that his or her office be vacated. Or
  - d) notifies the Executive Committee a wish to resign (but only if at least three members of the Executive Committee will remain in office when the resignation is to take effect)
9. No member of the Executive Committee shall acquire any interest in property belonging to the Charity (otherwise than as a Trustee of the Charity) or receive remuneration or be interested (otherwise than as a member of the Executive Committee) in any contract entered into by the Executive Committee.

## **F. Subscriptions**

1. All Band members shall pay a weekly contribution or an annual subscription in advance to Band Funds (the amount to be decided at each Annual General Meeting).

## **G. The Annual General Meeting**

1. This meeting is to be open to members of the general public and advertised in the local press at least two weeks before the date of the meeting. At least 10 days notice to be given in writing by the secretary to each Band member, Associate members and Honorary members.
2. The purpose of the Annual General Meeting is:
  - a) Adoption of previous year's minutes
  - b) Reports
  - c) Presentation of Accounts
  - d) Election of Executive Committee Officers
  - e) Voting on constitutional matters as proposed by the Band Committee
  - f) Voting on proposals suggested by Band members, as suggested in 3.
  - g) Should any proposals be raised under 'Any Other Business' these are to be referred to the Executive Committee at their first meeting following the Annual General Meeting
3. Any proposal to be voted on at the Annual General Meeting is to be submitted by either Band members or Associate members to the Executive Committee Secretary, one week prior to the date of the meeting.
4. A minimum of six voting members can submit a written application to the Executive Committee Secretary to call an Extraordinary General Meeting.

## **H. Holding Trustees**

The Executive Committee shall appoint not less than three individuals who will act as Holding Trustees on behalf of the Charity. The Holding Trustees will act as Custodian Trustees for any property, investments and land held by the Charity. Holding Trustees may be removed by the Executive Committee at their pleasure and shall act in accordance with the lawful directions of the Executive Committee. Providing they act only in accordance with the lawful directions of the Executive Committee, the Holding Trustees shall not be liable for the acts and defaults of its members.

## **I. Band Assets**

1. All money raised by or on behalf of the Band shall be applied or invested to further the objects of the Band and for no other purpose.
2. All Band owned instruments, equipment and assets will be adequately insured through a reputable Insurance Company.
3. Any Band members taking an instrument home for practice shall sign an agreement (or by the parent when the Band member is under the age of eighteen years), whereby that member is responsible for reasonable care of the same while in his/her possession.

4. All Band property, instruments, uniforms, music and other equipment shall remain the property of the Band so long as four members remain united, after which the Holding Trustees shall assume responsibility for the safe storage and insurance of all , instruments, uniforms, other equipment and any premises belonging to the Band.

Remaining Band funds are to be used to cover any expenses incurred.

No equipment of any sort or building shall be disposed of under any circumstances in the hope that later on the Band becomes active again.

5. Any Band member wishing to leave the Band must return their instrument and their uniform to the Executive Committee. Each Band member is expected to take reasonable care of instrument, music and uniform. Any unforeseen damage should be reported immediately to the Committee. Members are responsible for the cleanliness of uniforms.

**J. Complaints, etc. brought by Band members or Associate members**

Any above title members having any complaints to make in regard to the Band, or any other member thereof, or any proceedings of the Band, or having any suggestions of the Band or any connection with it, shall have the right to bring the matter before the Executive Committee Secretary. The Secretary in turn will bring the matter before the Band Committee on the first possible occasion. The matter will be discussed and settled by the vote of the Majority.

**K. Alterations to the constitution**

The Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.

No amendments may be made to the name of the Charity, its objects, the prevention of members of the Executive Committee from acquiring any interest in property belonging to the Charity, the dissolution of the Charity or the Clause, without the prior consent in writing of the Commissioners.

No amendment may be made which would have the effect of making the Charity cease to be a charity at law.

The Executive Committee should promptly send to the Commission a copy of any amendment made under this clause.

**L. Dissolution**

If the Executive Committee decides that it is necessary or advisable to dissolve the Charity it shall call a meeting of all members of the Charity, of which not less than 21 days notice (stating the terms of the resolution to be proposed) shall be given. If the proposal is confirmed by a two-thirds majority of those present and voting the Executive Committee shall have the power to transfer the Charity's property into the keeping of the Holding Trustees.