

16. FINAL STATEMENT

This constitution, approved at the Annual General Meeting held on 25th April 2008, replaces any and every former constitution.

This constitution was amended at:

- the Annual General Meeting held on 25th April 2008

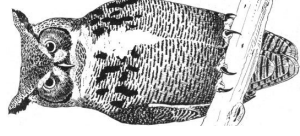
Signed

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John Anthony Hodgetts – Chairman

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Teresa Ann Trumble - Secretary



COPPULL AND STANDISH

BRASS BAND

Established 1886 & 1873 (Merged 2005)

CONSTITUTION

Revised

25th April 2008

1. TITLE

The organisation shall be called "COPPULL AND STANDISH BAND", hereinafter referred to as the Band.

2. OBJECTIVES

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.

3. FINANCE

The financial year shall end on 31st October each year.

- a. The funds of the Band shall be kept in bank or building society accounts approved by the Committee.
- 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, however derived, shall be applied solely toward promoting the objectives 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.
- d. Cheques shall be signed by any two of the nominated signatories which shall be agreed by the committee..
- e. All expenditure shall be authorised by the Committee.

15. DISSOLUTION CLAUSE

A resolution to discontinue the work of the Band shall be considered at a Special General Meeting of which 21 days notice has been given and at which not less than two thirds of the Full Members shall be present. If passed by a two thirds majority of those present, any property (excluding the building) 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 objectives similar to those of the Band. The building shall be returned to Coppull Parish Council to be used for charitable purposes as and when they require.

They shall also keep the assets in a good state of repair and be prepared to hand such assets back to the Band if it is reformed. Such action being required upon 8 persons so notifying the Parish Council.

Trustees shall hold office until death or resignation unless they are removed from office on the recommendation of the Committee by a resolution approved by a simple majority at a General Meeting.

Properties belonging to the Band shall be vested in and controlled by the Trustees but they shall deal with such properties as directed by resolution of the Committee, (of which an entry in the Minute Book shall be conclusive evidence), provided that any such direction shall not infringe the law relating to the duties and responsibilities of Trustees. Trustees shall be indemnified by the Band against risk and expense arising out of the proper discharge of their duties.

14. ALTERATION TO THE CONSTITUTION

The constitution may be altered only at a General Meeting or Extraordinary General Meeting called for that purpose.

Alterations to this constitution shall receive the assent of two thirds of the members present and voting at an Annual General Meeting. A resolution for the amendment of the constitution must be received by the Secretary of the Band at least twenty one (21) days before the meeting at which it is to be brought forward. At least fourteen (14) days notice of such a meeting must be given to the membership by the Secretary and must include notice of the alteration proposed. Provided that no alteration to the **OBJECTIVES (Section 2)** and **DISSOLUTION (Section 15)** or this clause (**Section 11**) shall take effect until the Charitable Commissioners or other authority having charitable jurisdiction shall have been obtained and no alteration shall be made which would have the effect of causing the Band to cease to be a charity in law.

No alteration to the constitution is valid if it is inconsistent with the objectives of the Band.

f. The audited accounts of the Band shall be prepared annually for each financial year. Such accounts shall be audited by the appointed auditors and be submitted to the Annual General Meeting for approval.

4. MEMBERSHIP

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, gender, sexual orientation, race, belief, or physical or mental disability.

The Band actively encourages the participation of juniors and it is the policy of the Band that all members that are actively involved with the youth movement are in compliance with the rules and regulations enforced by the child protection act. This compliance is available for examination in the Bands published Child Protection Policy.

The Committee may, at its discretion, grant Full Membership of the Band to:

- a. The Honorary President
- b. The Musical Director
- c. Players
- d. 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 greater than 25% of the total number of Full Members.

The Committee may, at its discretion, grant Life Membership to any individual who has rendered special service to the Band. Life Members shall be entitled to all the rights and privileges of Full Membership.

The Committee may at its discretion grant Associate Membership of the Band to non-playing persons who support or participate in the activities of the Band.

Associate Members shall be entitled to attend General Meetings but shall not be eligible to hold office, to propose or second candidates for office or to vote on any agenda item. They shall be subject to such special regulations as the Committee may from time to time make regarding Associate Members.

Membership of the Band may be terminated by:

- a. expulsion by the Committee
- b. resignation

The Committee shall have the power to expel any member who shall offend against the rules of the Band or whose conduct shall in the opinion of the committee, render themselves unfit for membership of the Band. Before any such member is expelled the Secretary shall give them 7 days written notice to attend a meeting of the Committee and shall inform them of the complaints made against them. No member shall be expelled without first having the opportunity of appearing before the Committee and answering the complaints made against them nor unless at least two thirds of the Committee present vote in favour of their expulsion.

The Secretary shall maintain registers of the names and addresses of Full Members and of Associate Members. The band will hold the minimum personal information necessary to enable it to perform its functions. All such information is confidential and needs to be treated with care in accordance to the bands Data Protection Policy in line with the Data Protection Act.

Only Full Members may exercise voting rights on the Committee.

Nine (9) Members shall constitute a quorum.

11. RULES AND REGULATIONS

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.

12. PATRONS

Patrons may be appointed by the Committee upon payment of a donation of such an amount as shall be recommended by the Committee. Patrons shall be entitled to benefits determined from time to time by the Committee for a period of twelve months from the date of their appointment.

Appointment as a Patron shall not confer membership of the Band.

13. TRUSTEES

Two (2) Building Trustees, who shall not be Officers or members of the committee and are not required to be members of the band to be nominated by the Committee and their appointment shall be approved at a General Meeting.

In addition to Building Trustees not be more than five (5) or less than three (3) Asset Trustees for all assets (excluding building), who shall be Full Members, to be nominated by the Committee and their appointment shall be approved at a General Meeting.

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.

The Chairman shall take the chair at all meetings of the Band. If at any time the Chairman is absent, the meeting shall be chaired by the vice-chairman. Casual vacancies in any of the said offices may be filled by the Committee for the remaining period of that term.

10. MANAGEMENT

A Committee, composed of the Six (6) Officers and Nine (9) Full 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 objectives of the Band. The Committee shall meet a minimum of 4 times per year

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, shall be available for inspection in the band room 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.

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 the Musical Director

5. MONTHLY SUBSCRIPTION

- a. The Monthly Subscription 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.
- b. A reduced Annual Subscription may be determined for Full Members who are Juniors below the age of sixteen (16), students in full-time education or who are aged at least sixty-five (65) years and have retired from full-time employment. The President, Musical Director, Life Members and Associate Members shall not be required to pay the Monthly Subscription.
- c. Monthly Subscriptions shall become due on the 1st of each month.
- d. Any Full Member who has not paid his Monthly Subscription within three (3) months of a due date shall be considered in arrears.
- e. The Committee, on receiving information that any Full Member is unable to pay his Monthly 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.
- f. On election to membership a new member will be liable to subscriptions on the 1st of the month following their appointment.

6. ANNUAL GENERAL MEETING

The Business Year shall be 1st November to 31st October and the Annual General Meeting shall be held before 31st January. 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 from them.
- b. to receive from the Chairman a report on the year's working
- c. to receive from the Secretary a report on the year's working
- d. to receive from the Treasurer a report on the financial status
- e. to receive from the Treasurer the Statement of Accounts for the previous year
- f. to receive from the Musical Director a report on the years musical progress
- g. to elect the 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).
- h. to appoint the Auditor, (Officers and Committee Members shall be excluded from appointment as Auditor. The Auditor shall be allowed access to all books and records)
- i. to transact any other business relating to the affairs of the Band of which at least 14 days notice has been given and which has been included in the agenda

The Secretary shall give not less than 14 days notice of the date, time and place of such meeting, notification to be displayed in the band room. The full agenda shall be displayed in the Band room for one week prior to the meeting.

7. EXTRAORDINARY GENERAL MEETING

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

- a. upon the direction of the Committee
- b. upon receipt of a written application signed by six Full Members of the Band stating the special object of the meeting.

The meeting shall consider only that business for which it was called.

The Secretary shall give not less than 10 days notice of the date, time, place and special object of such meeting, notification to be displayed in the band room.

8. VOTING

At all meetings of the Band, every question shall be decided by a show of hands, or by ballot (if so stated by the Chairman), of the Full Members present. The Chairman of such meetings shall have a casting vote. Voting at the Annual General meeting or Extraordinary General Meeting by nominated proxy in attendance or by mail / email is acceptable.

9. OFFICERS

The Officers, who must be Full Members, shall be

1. Chairman
2. Vice Chairman
3. Secretary
4. Assistant Secretary
5. Treasurer
6. Librarian