

# **YORK RI**

## **BAND SECTION CONSTITUTION**

(as amended, 2nd December 2020)

### **1. NAMES AND DEFINITIONS**

York RI Band Section is a constituent part of York RI - a Charitable Incorporated Organisation, registration number 1165513.

The Section, part of York RI, shall be called and known as York RI Band Section, and shall hereinafter be referred to as the Band Section.

The Band Section shall consist of playing and non-playing members of the York RI Band (hereinafter referred to as the RI Band), The York RI Golden Rail Band (hereinafter referred to as the Golden Rail Band) and the York RI Development Band (hereinafter referred to as the Development Band).

The Development Band shall be offered support and guidance by the Golden Rail Band, and its purpose shall be to provide tuition and training for players who are beginning, returning or developing - along with the option to progress to one of the higher-level bands in the York RI Band Section, thereby helping York RI Band Section to achieve its objectives.

The management of the Band Section shall be in the hands of the Band Section Committee (hereinafter referred to as the Committee).

### **2. OBJECTIVES**

The objectives of the Band Section shall be to promote, improve, develop and maintain public education in, and appreciation of, the art and science of music in all its aspects by the presentation of public concerts and for the general purposes as the Band Section may from time to time decide.

### **3. POWERS**

In furtherance of the objectives, but not otherwise, the Committee may exercise the following powers insofar as these have been approved (or as delegated) by the York RI Board of Trustees:

- 3.1. 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.
- 3.2. Power to buy, take on lease or in exchange any property necessary for the achievement of the objectives and to maintain and equip it for use.
- 3.3. Power subject to any consent required by law to borrow money and to charge all or part of the property of the Band Section with repayment of the money so borrowed.
- 3.4. Power to appoint Musical Directors (who shall not be members of the Committee) as necessary for the proper pursuit of the objectives. This power shall be delegated to the individual Bands within the Section who shall each have the authority to recruit and appoint their own Musical Director, subject to the approval of the Band Section Committee.
- 3.5. Power to co-operate with other voluntary bodies and statutory authorities operating in furtherance of the objectives or of similar purposes and to exchange information and advice with them.

- 3.6. Power to establish or support any associations or institutions formed for all or any of the objectives.
- 3.7. Power to appoint and constitute such advisory committees as the Committee may think fit.
- 3.8. Power to formulate additional rules and regulations for the administration and management of the Band Section. As a minimum, these shall cover the following areas: payment of subscriptions; expenditure; safeguarding of children; consumption of alcohol; suspension and disciplinary procedures; voting procedures. All such rules and regulations shall apply equally to each Band and shall be posted within the Band Room.
- 3.9. Power to do all such other lawful things as shall be necessary for the achievement of the objectives.

#### **4. MEMBERSHIP**

- 4.1. Membership shall be open to any person who demonstrates an interest in the Band Section irrespective of sex, sexuality, disability, ethnic orientation, creed, religion, age or ability and who undertakes to further the objectives set forth in Clause 2 above. All Band Section members are entitled to vote, irrespective of age; any alteration of this will be at the discretion of the Band Section Committee.
- 4.2. All members of the Band Section shall be members of York RI.
- 4.3. The members of the Band Section shall be those who pay the annual subscription at the appropriate rate or rates as shall be determined by the Committee. All subscriptions shall be payable in advance, on or before 31st March.
- 4.4. Tuition in all Bands within the Band Section shall be given through open classes and shall normally be available without charge to the students.
- 4.5 The position held by members in each Band shall be to the playing standard of the Band and as far as possible to the individual wishes of each player, contingent on the decision of the Musical Director.

#### **5. CEASING MEMBERSHIP**

A member may resign from the Band Section at any time by giving notice in writing to the Committee.

There is no subscription refund procedure.

The Committee may expel any member for misconduct, non-attendance or failure to pay subscriptions or whose conduct shall render him/her unfit for membership of the Band Section. Before any such member is expelled the Secretary shall give seven days notice in writing to attend a meeting of the Committee and shall inform him/her 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 then present vote in favour of their expulsion.

#### **6. OFFICERS AND COMMITTEE**

The Committee shall consist of Chairman, Secretary and Treasurer who shall be known as the Band Section officers. The officers shall be elected by and out of the Band Section members at the Annual General Meeting.

The Committee shall also consist of:

Additional members elected by the RI Band such that it has four representatives on the Committee, inclusive of any members elected as Section Secretary or Section Treasurer. Only RI Band members to vote.



Additional members elected by the Golden Rail Band including the Development Band such that it has four representatives on the Committee, inclusive of any members elected as Section Secretary or Section Treasurer. Ideally there shall be two members representing the Golden Rail Band and two members representing the Development Band but, in any event, there shall be at least one member from each of these two bands. Only Golden Rail and Development Band members to vote.

Replacement members will be co-opted at a band meeting prior to an AGM.

All Committee members shall hold office for one year and shall be eligible for re-election.

## **7. MANAGEMENT**

Management of the affairs of the Band Section shall be vested in the Committee. The Committee shall normally meet at monthly intervals. The quorum for meetings shall be 50% plus one of the current membership of the Committee. The Chairman may co-opt additional members of the Band Section to be members of the Committee.

## **8. FINANCE**

8.1. The financial year shall end on 31st March.

8.2. Separate banking accounts shall be opened in the names of the RI Band and the Golden Rail Band and cheques shall be signed by the Treasurer of the Band Section and one member of the relevant Band, as designated by the Committee. The Development Band shall share the financial structure of the Golden Rail Band.

8.3. The Band Section shall be permitted to receive donations and grants in furtherance of its objectives and tickets for any or all of its concerts and other events may be offered for sale to the public.

8.4. The income and property of the RI Band, the Golden Rail Band and the Development Band whencesoever derived shall be applied solely towards promoting the objectives of the Band Section set forth above, except that each Band may elect to permit charges (other than subscription charges) imposed by York RI to be paid in full or in part from Band funds, where such funds allow.

No payment of such charges shall reduce a Band's funds below the figure of £3,000.00 or such other figure as may, from time to time, be decided by the Committee.

Except as above, no portion of Band funds shall be paid or transferred either directly or indirectly to any member or members of the Band Section except in payment of legitimate expenses incurred on behalf of the Band Section.

## **9. PRACTICE**

Each Band shall meet at least once a week for practice. The Committee may call for an explanation from any playing member who habitually absents him/herself from, or who habitually arrives late for practice or engagements.

## **10. BAND PROPERTY**

The RI Band and the Golden Rail Band shall each maintain an inventory of items of Band Section property used by them. The Golden Rail Band inventory shall include items used by the Development Band.

Members shall sign an acknowledgment or receipt for all items of equipment on loan. No member shall have any claim to ownership of any property of the Band Section and shall return any item on demand of the Committee or on ceasing membership. The item(s) so returned shall be in good and properly maintained condition, failing which, the member shall pay the cost of making good any damaged property so delivered up.

Band Section equipment may be used for other musical activities with the permission of the Committee.

No attempt should be made to carry out repairs to instruments unless authorised to do so.

All uniform shall be kept clean and smart at all times and cleaned for return on ceasing membership.

## **11. DISSOLUTION**

In the event of the Band Section being wound up, all assets shall become the property of York RI. All liquid assets shall be made available for any outstanding debts or claims made against the Band Section and the balance, if any, shall be applied solely for charitable objects similar to those of the Band Section.

## **12. GENERAL MATTERS**

Within six weeks of the end of each financial year members shall be summoned to an Annual General Meeting of which at least fourteen days' notice in writing shall be given.

The business at such meetings shall be the election of the officers and Committee and the passing of accounts and any other business of which notice shall have been given to the Secretary not less than seven days before the date of the meeting. An agenda list shall be posted in the Band Room inviting items for the meeting. The list shall close upon the start of the meeting.

A quorum at the meeting shall be 15 members.

## **13. AMENDMENTS**

The Constitution may be amended by a two-thirds majority of the members present at any Annual or Special General Meeting, provided that fourteen days' notice of the proposed amendment has been sent to all members. The Committee shall ensure that the Constitution is reviewed and updated at intervals not exceeding five years.

## **14. REVISION STATUS**

The Constitution was re-written in June 1999. This, the sixth revision since its adoption in November 1999, was approved at the EGM held on 2nd December 2020 and implemented on the 2nd December 2020.

Signed: Clive Marshall Chairman  
Clive Marshall

Oliver Abbey Secretary  
Oliver Abbey

Date: 2nd December 2020.