



## ROYAL BURGH OF LINLITHGOW REED BAND

### CONSTITUTION and BYE-LAWS

#### CONSTITUTION

1. The band shall be designated the Royal Burgh of Linlithgow Reed Band.
2. The objects of the Band shall be to advance the education of the public in the art of Wind Band music by the presentation of public performances and other like activities. In furtherance thereof, the Band shall seek to
  - a) cultivate the art of music among its members
  - b) provide musical entertainment to the public, in particular to the local community
  - c) provide practical tuition to young and new players.
3. No person shall be treated differently by reason of sex, nationality, race, creed or ethnic origin. Throughout this document, therefore, Nouns and Pronouns of the masculine gender shall include the feminine.
4. All funds of the Band shall be used for the expenses of the Band. Any profits, as audited, shall be used for the general purposes and furtherance of the Band, though not necessarily in the same year as their accumulation.
5. The Band shall be governed by a President, (who shall act as Convener), a Vice-President, a Secretary, a Treasurer, and five (5) members of Committee who shall together form a General Committee for the purpose of administering and conducting the general business of the Band.
6. An Honorary President shall be elected / re-elected at each Annual General Meeting from persons of good standing who can be relied upon to represent the interests of the Band within the broader community. Such Honorary President shall not form part of the General Committee.
7. All instruments, music, uniforms and other property of the Band shall be vested in the said General Committee as Trustees for the said Band.
8. Dissolution. If the General Committee determines that it is necessary or appropriate that the Band be dissolved, it shall convene a meeting of the members, not less than 21 days' notice of the meeting (stating the terms of the proposed resolution) shall be given.
9. If a proposal be the General Committee to dissolve the Band is confirmed by two-thirds majority of those present and voting at the general meeting convened under section 8, the General Committee shall have power to dispose of any assets held by, or on behalf of the Band – and any assets remaining after the satisfaction of the debts and liabilities of the Band shall be transferred to some other charitable body or bodies similar to those of the Band; the identity of the body or bodies to which such assets are transferred shall be determined by the members of the Band at, or prior to, the time of dissolution.
10. For the avoidance of doubt, no part of the income or property of the Band shall (otherwise than in pursuance of the Band's charitable objects) be paid or transferred (directly or indirectly) to the members, either in the course of the Band's existence or dissolution.
11. Wherever practical, a Training Band shall be maintained for less experienced players.
12. The General Committee may propose the election / re-election of one or more Honorary Members of the Band as a mark of recognition of outstanding service to the Band. Such proposals must be approved by the majority of members present at an Annual General Meeting. Such Honorary Members shall be subject to all the rights, privileges and rules of ordinary membership but shall not be required to pay any membership fees.
13. An Annual General Meeting of the Band shall be held in October of each year. The members shall proceed to elect the General Committee in Terms of Sections 5 & 6 of the Constitution. The General Committee shall retire each October, but shall be eligible for reelection. Notification of each AGM shall be placed in the local press on 2 consecutive weeks approximately 4 weeks before the date of the AGM.
14. Should a vote be required to elect one or more General Committee posts (or should a vote be called for in order to establish the opinion of members) at an Annual or Extraordinary General Meeting, then every member of the Band shall have one vote. Where a member is a minor, that member's vote may be cast by the member's legal guardian.
15. An extraordinary general meeting of the Band may be requisitioned at any time by a notice in writing to the Secretary signed by at least 12 members of the Band and giving a full note of the reason for the requisition. Such extraordinary general meeting shall be held within 3 weeks of the notice.
16. The General Committee shall meet as occasion requires, to transact such business as is necessary for the proper administration and conduct of the Band, five members to form a quorum. The Committee may appoint sub-committees as required, whose duties shall be determined by the General Committee and who shall present reports to each meeting of the General Committee until such sub-committees be disbanded. Those General Committee members who have attained the age of sixteen years and who are not disqualified from being considered as a charity trustee will be the trustees of the charity that is Linlithgow Reed Band.
17. The Secretary shall keep a record of all business transacted at meetings of Committee. Such records of business shall be approved by the relevant committee at the next meeting. He shall be ex-officio a member of all sub-committees.
18. The Secretary shall keep accurate records of the name and number of Musical Instruments belonging to the Band, and the name and address of each member to whom it is lent. He shall also keep like records of music, uniforms, rainwear and other items lent to members.
19. The Treasurer, subject to the direction of the General Committee, shall receive all monies due to the Band, and shall only pay such accounts as have been passed by them. He shall keep an account of same which shall close on the last day of September in each year and shall be submitted to two auditors approved by the General Committee. He shall prepare a statement of each year's financial transactions which shall be submitted to the auditors along with his records and presented to each Annual General Meeting.
20. The General Committee shall be vested with full powers to engage a Bandmaster and to appoint a deputy when required, both at a rate of remuneration to be determined by the General Committee. Such Bandmaster and/or deputy shall be musical advisors to the General Committee but shall not be members of that committee.

21. Qualifications for Membership. Membership shall be open to anyone from the Community who can demonstrate his/her ability to play the instrument of his/her choice suited to the general structure and style of the Band.
22. Application for Membership. Any person who wishes to become a member will be invited to sign, and lodge with the Secretary of the Band, a written Application for Membership. The Committee shall consider each application for membership at the first Committee Meeting which is held after receipt of the application; the Committee shall, within a reasonable time after the Meeting, notify the applicant of its decision on the application. The Committee may, at their discretion, refuse to admit any person to membership.
23. Membership Subscription. An annual subscription is to be paid by each band member, the rate of subscription being determined by the General Committee and presented at an Annual General Meeting. Any new rate shall take effect at the beginning of the financial year following that Annual General Meeting. A reduced annual subscription may be determined for members who are students in full-time further education or who are aged at least 65 years. The General Committee may, at its discretion, excuse payment or determine a reduced subscription for any member who is unable to pay his subscription through good cause.
24. Register of Members. The General Committee shall maintain a Register of Members, setting out the full name and address of each member, the date on which he/she was admitted to membership, and the date on which any person ceased to be a member. For any member, ongoing membership of the Band remains at the discretion of the General Committee.
25. Withdrawal from Membership. Any person who wishes to withdraw from membership shall sign, and lodge with the Band Secretary, a written notice to that effect; on receipt of the notice by the Band, he/she shall cease to be a member.
26. The General Committee may frame such Bye-Laws for the administration and conduct of the Band as they may think necessary. Such Bye-Laws must, however, be approved of by the majority of Members of the Band present at a General Meeting. No alteration can be made to any part of the Constitution or Bye-Laws except at the Annual General Meeting of the Band or at a properly convened Extraordinary General Meeting, notice of any proposed alteration must be lodged in writing with the Secretary not later than three weeks prior to this meeting.
27. The General Committee shall appoint a Band Sergeant who shall be in charge of dress, deportment and choice of marches during marching engagements.
28. At the first meeting of the General Committee after each AGM, a Band Librarian shall be nominated by the General Committee. The duties of the Librarian shall include but not be restricted to keeping the library in an orderly condition, indexing, and filing music, issuing and withdrawing music, replacing missing parts as reported and ensuring that a sufficient number of parts is available.

#### **BYE-LAWS**

1. Each prospective new member if under 18 years of age shall be required to apply for membership of the Training Band in the first instance. If it can be shown to the satisfaction of the General Committee that there is a genuine reason why attendance at the Training Band rehearsals is not possible, then the candidate shall be required to have an audition with the Bandmaster of Linlithgow Reed Band (LRB) to determine whether a sufficient standard has been achieved to allow entry direct to LRB. If such standard has not been achieved, the candidate shall be encouraged to re-apply after six months.
2. Twice per year the Bandmaster of the Training Band shall be invited to nominate musicians who have attained a sufficient standard to join LRB in addition to the Training Band.
3. On receiving an instrument, music, book, uniform, rainwear or other item lent by the Band, each member of the Band shall sign his name in a book kept for the purpose, as a receipt for same; and shall be responsible for their repairs to the satisfaction of the General Committee in the event of their being abused or damaged, and for their actual cost in the case of being lost, unless it can be proved to the satisfaction of the General Committee that the damage or loss was the result of an unavoidable accident. Each member of the Band also binds himself that the instrument received by him shall only be used for Band purposes except by the permission of the General Committee.
4. Each member of the Band whilst on duty in concert work is bound to conform to the instructions and directions of the Bandmaster or his deputy.
5. Each member of the Band whilst on duty in marching work is bound to conform to the instructions and directions of the Band Sergeant.
6. Any member of the Band deemed to be bringing discredit on the Band, shall be expelled for the remainder of the day and shall forfeit all claims to expenses or payment for that day. The power for such action shall lie with the Bandmaster or his deputy during concert work and with the Band Sergeant during marching work. All such cases must be reported to the General Committee.
7. If any dispute arises amongst the members of the Band, it shall not be discussed in public, but shall be referred to the General Committee, whose decision shall be final; any member of the Band finding cause to complain shall do so in writing to the Secretary for consideration at the next meeting of the General Committee.
8. On a member leaving the Band, all items lent by the Band shall be returned and, subject to satisfactory inspection of the items as per bye-law no. 3, such entries as have been made in the books for such loans shall be deleted.
9. Each member of the Band must attend practices regularly. Any Band member being absent for two consecutive weeks without prior notification to a committee member may be asked by the committee for a reasonable explanation and may be required to return some or all items lent to him by the Band. The General Committee shall decide on any further action.
10. A copy of the fore-going Constitution and Bye-laws shall be issued to all members and a copy of these published on the band website.
11. On applying to join the Band, each prospective member shall complete an application form which shall be considered by the General Committee. The applicant shall be provided with a copy of the Constitution and shall be requested to make himself thoroughly conversant with them, as they will be strictly enforced by the General Committee.
12. On acceptance of the membership application by the General Committee, each member shall sign a declaration that the Constitution shall be adhered to at all times.