

**THE SCOTTISH BRASS BAND ASSOCIATION**  
**CONSTITUTION**

**DEFINITIONS**

In this Constitution the expressions listed shall have the following meanings and where the context so requires the masculine shall include the feminine and the singular shall include the plural.

'Association' means the Scottish Brass Band Association.

'Committee' means the Executive Committee.

'Organisation' means any Band, Affiliated Association or other Affiliated Group presenting contests in Scotland.

'Contest' means Full Band, Solo, Duet, Trio, Quartet or other Combinations of Brass Instruments.

'Player' means a competing member of a contesting band.

**1. Name**

The Association will be known as "THE SCOTTISH BRASS BAND ASSOCIATION".

**2. Objects**

The objects of the Association shall be to advance the education of the public in the art of brass band music by the promotion and encouragement of all efforts appertaining to brass bands and their music.

**3. Powers**

The Association can do anything that is necessary and within the law to carry out its objects. The Association will have a code of rules for the regulation of all band contests held within its jurisdiction.

**4. Trustees**

The Trustees of the Scottish Brass Band Association shall be at all times the President, Vice President, Secretary and Treasurer during their term of office.

**5. Officials & Executive Committee**

- (a) The Association shall have authority to elect Honorary Officials who shall have no voting power. Any such Honorary Officials shall only be entitled to attend meetings of the Executive Committee or any sub committee thereof on the invitation of the Executive Committee.
- (b) The officials shall consist of President, Vice-President, Secretary and Treasurer, who, together with other appointed members shall serve as an executive committee. The President or, in his absence the Vice-President, shall preside at all meetings.
- (c) The officials shall be elected to serve for a term of two years. The President and the Treasurer will be elected at the Annual General Meeting in each odd numbered year and the Vice President and Secretary will be elected at the Annual General Meeting in each even numbered year. All persons nominated for any post as an official shall require to be duly appointed representatives of member bands attending the Annual General Meeting in question. All officials shall be eligible for re-election.
- (d) All nominations for any post as an official (with details of the proposer and seconder) shall require to be received in writing by the Secretary at least 14 days prior to the date

of the Annual General Meeting. Any party nominated for any post as an official shall be required to submit a short statement not exceeding 250 words, incorporating details of his or her relevant experience, which will be circulated to member bands with details of the nomination prior to the Annual General Meeting. Any party nominated for any post as an official is entitled to make a short address (not exceeding 5 minutes) to the Annual General Meeting prior to any election for the post taking place.

- (e) Ten members of the Executive Committee shall be elected at the Annual General Meeting each year to serve for a period of one year. All persons nominated for any of these ten posts on the Executive Committee shall require to be duly appointed representatives of member bands attending the Annual General Meeting in question. All members elected under this provision shall be eligible for re-election.
- (f) In the event of a vacancy occurring during the year either in an official position or in members of the executive committee appointed at the Annual General Meeting, the committee shall have power to co-opt a member to fill the vacancy.
- (g) Each Area Association affiliated to the Association shall be entitled to nominate one person to serve on the Executive Committee. Each Area Association may change the identity of its nominee from time to time as the Area Association may determine. Each Area Association shall communicate the name of its nominee to the Secretary.
- (h) The Senior Band of the National Youth Brass Band of Scotland shall be invited to nominate one player to serve on the Executive Committee. The player will have full voting powers. The player shall be nominated at the NYBBS Summer Course and will serve until the next Summer Course.
- (i) In the event that a member of the Executive who is the nominee of an Area Association is unable to attend any meeting of the Executive Committee, that member shall be entitled to appoint a substitute to attend the meeting concerned in his or her place. Any such substitute shall be regarded as a member of the Executive with full voting powers for the meeting in question. Confirmation of the substitute should be received by the Secretary (or other Official) prior to the commencement of meeting. All members of the Executive Committee shall have equal voting powers.

## **6. Membership**

- (a) All brass bands in Scotland will be eligible for membership. No individual will be excluded from membership of any member band on the grounds of age, gender, class, political affiliation, creed, sexuality, ethnic origin or ability.
- (b) Each band on being admitted to membership shall pay the current subscription, as determined by the Annual General Meeting, or such proportion thereof as the Executive Committee may deem to be appropriate for the period from the date of being admitted to membership to the next Annual General Meeting, payable in advance. Renewal of annual subscriptions must be made before an Annual General Meeting to allow the representatives of the band to be admitted.

## **7. Area Associations and Other Affiliated Organisations**

An Area Association shall be an association of bands within a particular geographic area in Scotland which is recognised by the Executive Committee as forming the regional body for bands in that area. In determining whether any association of bands should be recognised as an Area Association, the Executive Committee shall have due regard for and take fully into account the wishes of member bands situated in the geographic area in question. Furthermore, any body wishing to have the status of an Area Association shall require at all times to comply with the following conditions:-

- (a) The constitution of each Area Association must afford each band within its designated geographic area which is in membership of this Association the opportunity to be in membership of the Area Association.

- (b) The constitution of each Area Association must afford each of its member bands equal voting rights and representation on the committee of the Area Association.
- (c) The constitution of each Area Association must provide that all bands in membership of each Area Association must also be in membership of this Association.
- (d) The geographic boundaries of each Area Association will be set by the Executive Committee, following consultation with the Area Associations and, where deemed appropriate by the Executive Committee, individual bands. Bands may only be in membership of the Area Association for the area in which the band is situated except where permission is granted by the Executive Committee on an application being made by a band to permit that band to join an Area Association for an adjoining area, either in place of membership of the association for its own area or in addition to membership of the association for its own area.
- (e) The current annual subscription for each Area Association must be paid to the Treasurer of this Association on or before the date of the Annual General Meeting each year.
- (f) The Area Association must lodge a copy of its constitution with the Secretary of this Association. In the event of the Area Association amending its constitution, it must lodge a copy of its amended constitution with the Secretary of this Association within one month of the effective date of any such amendments.

Approved organisations (other than Area Associations) can be affiliated with this Association provided they adhere to the following conditions:

- (a) The current annual subscription for each affiliated organisation must be sent to the Treasurer of this Association on or before the date of the Annual General Meeting each year.
- (b) No band can be accepted as a member of an affiliated organisation unless it is a member of this association.

## **8. Annual General Meeting**

- (a) The annual general meeting of the Association shall be held in January each year, but the executive committee will have power to convene a special general meeting if necessary.
- (b) Each band, each Area Association and each affiliated organisation will be entitled to elect two representatives to attend the annual general meeting or any special general meeting. Such representatives must be in possession of certified credentials signed by the secretary of the band or area association or affiliated organisation, failing which they cannot be admitted. Officials shall not require credentials to attend the meeting.

Persons appointed to represent a band or an area association or affiliated organisation at the annual general meeting or any special general meeting cannot represent any other band or area association or affiliated organisation at the same meeting.

- (c) The method of voting at all Annual General and Special General meetings shall be that each band representative shall have one vote and each band represented shall have equal voting power. Should the meeting at any time deem it advisable, voting shall be by ballot. For the avoidance of any doubt, representatives of Area Associations and representatives of other affiliated organisations shall have no voting power at any Annual General or Special General Meeting.
- (d) The expenses of representatives attending the annual or special general meeting must be met direct by the bands they represent. The expenses of the officials shall be borne by the Association.

## **9. Sub-Committees**

The Executive Committee may establish such sub committees and appoint such conveners as it may deem necessary and appropriate to further the objects of the Association. Non members of the Executive Committee may, on the invitation of the Executive Committee, be co-opted to serve on such sub committees. Such co-opted members shall have no voting rights and such appointments may be terminated by the Executive Committee at any time.

The Executive Committee also has the right to engage such professional services as it may deem necessary and appropriate to assist the Association when the need arises.

#### **10. Alteration of the Constitution**

This Constitution shall operate and supersede all previous versions of the Constitution as from the date of the annual general meeting each year and, except as hereinafter provided, no alteration can be made except at an annual general meeting or at a special general meeting.

Recommendations for additions or alterations to the Constitution must be submitted to the secretary in writing at least six weeks prior to the date of the annual general meeting. Any proposed amendments or additions will be circulated by the Association Secretary to all members at least four weeks prior to the meeting in order that band representatives at the meeting will be properly mandated for voting purposes.

Notwithstanding the foregoing, the Executive Committee shall have power to amend the Constitution without reference to an Annual General Meeting or a Special General Meeting, but that only for the specific purpose of meeting the requirements of the Office of the Scottish Charity Regulator or HM Revenue & Customs in connection with retaining charitable status or a grant awarding body from whom the Association is seeking grant funding. No change may be made to the Constitution that would have the effect of the Association ceasing to be recognised as a charity.

In the event of the Executive Committee, acting in accordance with the provisions of the immediately preceding paragraph, amending the Constitution, all member bands will be given written notification of the changes at the earliest possible opportunity following the enactment of the changes.

#### **11. Contest, Registry and Grading Rules**

The Contest Rules, Rules of the British Brass Band Registry Scotland, Rules of the Scottish Junior Registry, Grading Rules and Contest Rules for Solo, Quartet and Small Ensemble Contests do not form part of the Constitution of the Association and may be amended by the executive committee without reference to an Annual General Meeting.

The Committee shall have power to enforce the said Contest Rules, the Rules of the British Brass Band Registry Scotland, the Rules of the Scottish Junior Registry, the Grading Rules and the Contest Rules for Solo, Quartet and Small Ensemble Contests and to act in the event of it being advised or otherwise becoming aware that an infringement of any rule has taken place.

#### **12. Accounts and Finances**

The Association's financial year will be from 1 September to the following 31 August. The Treasurer shall be responsible for the recording of the Association's accounts and all financial records and shall provide financial statements and information throughout the year as required by the Executive Committee. The Treasurer will be responsible for the preparation of annual accounts in such form as may be required to meet the obligations of the Association under charity law. The Treasurer will be responsible for having the accounts audited or examined in such manner as may be required to meet the obligations of the Association under charity law. The Trustees will have responsibility for the preparation of an Annual Report and for the submission of the same to the Office of the Scottish Charity Regulator all as may be required to meet the obligations of the Association under charity law.

### **13. General Rule**

In the event of any situation arising not covered by the constitution and contest rules the executive committee shall have full power to deal with this and its decision shall be final and binding.

### **14. Dissolution**

The Association can be dissolved at any time by a resolution passed at an Annual General Meeting. The resolution must be passed unanimously by all of those present and entitled to vote. All member bands must be given written notification of the resolution proposing dissolution at least four weeks prior to the date of the meeting. In the event of the dissolution of the Association, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Association, but shall be given or transferred to a recognised charitable organisation(s) having objects similar to those of the Association.

## **The Scottish Brass Band Association**

### **Standing Orders for Annual General Meeting**

1. The President, or in his absence, the Vice-President, shall preside and shall have a vote similar to a band representative. In the event of an equal number of votes being cast the chairman shall have a casting vote, providing that the question is one which does not directly affect his interests. If the President is in the chair, and the question directly affects the interests of the chairman, the Vice President will have the casting vote. If the Vice President is in the chair, and the question directly affects the interests of the chairman, the Secretary will have the casting vote.
2. The following shall form the agenda for the annual general meeting:
  1. Minutes
  2. Business arising
  3. Correspondence
  4. Chairman's Remarks
  5. Treasurer's and Auditors' Report
  6. Honoraria
  7. Annual Subscriptions
  8. Appointment of Officials, Committee and Auditors
  9. General Business
3. No member shall have the right to speak more than once on any motion or amendment, except the mover of the motion, who alone will have the right to reply in closing the debate.
4. No speech shall exceed five minutes in time, except in the case of the movers of the motion or the amendment, who shall be allowed ten minutes. In closing the debate the mover of the motion shall be allowed five minutes to do so but must not introduce any new matter.
5. Should two or more members rise to speak at the same time the chairman shall decide who shall have priority.
6. All members shall obey the ruling of the chairman, and should anyone continue to interrupt the meeting after being called to order by the chairman, he will be liable to suspension for the remainder of the meeting.

7. When an amendment against a motion is moved, no other shall be accepted until the first amendment is disposed of, and notice of any further amendment must be given before the first amendment is put to the vote. Should the amendment be carried, it displaces the original motion, and itself becomes the substantive motion and is subject to the same regulations as the motion displaced, including the right to reply by the mover of the amendment which has become the motion.
8. Any member who has not spoken during the debate may move "That the question be now put" and, if seconded, his motion shall be forthwith put to the meeting but shall not carry unless two-thirds of the members present vote for it. Should it be carried, however, it does not deprive the mover of the motion of his right to reply.
9. It shall not be in order for any member, who has moved or seconded any person to fill any position, to move that nominations cease.

The suspension of Standing Orders may be moved and seconded (without speeches) at any time but the motion can only be carried provided two-thirds of those present support it.

Incorporating all amendments made up to and including those approved at the Extraordinary General Meeting of the Scottish Brass Band Association on Sunday 25th September 2016