

# **Greater Victoria Concert Band**

P.O. Box 36026  
1153 Esquimalt Road  
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## **Constitution**

**And**

**Bylaws**

**Greater Victoria Concert Band**

**Constitution**

**Name**

1. The name of the society is the Greater Victoria Concert Band.

**Purposes**

2. The purposes of the society are
  - (a) to provide a forum where musicians can gather to enjoy playing music,
  - (b) to endeavour to better the musical capabilities of the members, and
  - (c) to provide bands representative of the Greater Victoria area, available for civic and charitable functions.

**Dissolution Clause**

3.
  - (1) A vote to dissolve the band must be passed by a majority of the members.
  - (2) In the event of the winding up and dissolution of the band:
    - (a) the executive members in office at the time of dissolution are responsible to the remaining membership for preparing a complete and accurate accounting of the band's assets and liabilities;
    - (b) the executive must, as soon as practicable, pay any outstanding debts from band funds;
    - (c) assets are to be held no less than 3 months and no longer than 3 years, pending possible revival of the band.
  - (3) If the band is not revived during the period described in subsection 2(c), the executive must transfer the remaining assets to an existing charitable organization with charitable purposes similar to those of the band. This provision is unalterable.

## Greater Victoria Concert Band – Bylaws

Here, set forth in numbered sections, are the bylaws providing for the matters referred to in section 6(1) of the Society Act.

### Bylaws

#### Definitions

1. In these bylaws:

“**annual general meeting**” means the last general meeting of the band members in each fiscal year, to be held in June;

“**band**” means all levels of the Greater Victoria Concert Band;

“**conductors**” means the conductors of the novice, junior, intermediate and senior levels

“**executive**” means the officers of the band as described in section 15(1);

“**fiscal year**” means the period June 1 to May 31 each year;

“**general meeting**” means practices of the band, and includes special general meetings called under section 11(3);

“**majority**” means over 50%

“**unexcused absence**” means failure to notify a section leader or conductor of an absence prior to a rehearsal or concert.

#### Membership

2. (1) Applicants for membership must

(a) be enrolled in grade 11 or higher or have left school,

(b) support the purposes of the band, and

(c) be prepared to pay dues.

(2) A member will receive as proof of membership

(a) a receipt for dues paid, and

(b) a representative band uniform on loan for the period the member is in good standing with the band, which must be returned by the date of the annual general meeting or the final performance.

(3) Each member shall have one vote at general meetings and all rights and responsibilities for members in good standing.

#### Application for Membership

3. (1) Initial applications for membership in the band must be presented in writing, on a registration form provided by the band, to the treasurer. Application does not guarantee membership.

(2) The executive, by a majority of votes cast, may refuse membership to any individual whose membership the executive feels would be prejudicial to the welfare of the band, and should the executive so refuse the application, the secretary must advise the applicant in writing of the refusal.

- (3) A decision of the executive pursuant to subsection (2) may be overruled at a general meeting by a majority of the votes cast by the members present.
- (4) Membership within each level of the band will be determined by the level's conductor, in consultation with the executive, taking into account the balance within the level and the capabilities of its players. Players may move from one level to another with the approval of the relevant conductors. The conductor may consult with the appropriate section leader.
- (5) Upon acceptance of membership and payment of dues, an applicant gains full rights and privileges of a member in good standing.

### **Member in Good Standing**

- 4. (1) A member in good standing must
  - (a) abide by the constitution and bylaws of the band,
  - (b) conduct himself or herself at band functions in a manner which will not be prejudicial to the interests of the band,
  - (c) put forth his or her best musical effort, and
  - (d) be punctual at all practices and concerts and attend same with regularity.
- (2) A member ceases to be in good standing upon failing to pay his or her membership dues within the time limit set out in section 9(2) or on expulsion under section 7(3).

### **Membership and Playing Levels**

- 5. (1) A member who is leaving or not returning should notify his or her section leader, the executive, or the appropriate conductor, as early as possible.
- (2) There are the following four playing levels within the band:
  - (a) novice;
  - (b) junior;
  - (c) intermediate;
  - (d) senior.
- (3) Sections within each level will first be filled, by the third rehearsal, with returning members of that level.
- (4) The procedure for filling vacancies in a section of the senior level is as follows:
  - (a) first, by a capable member in good standing from another level;
  - (b) second, from a waiting list of applicants;
  - (c) finally, by advertising openings within the community.
- (5) Applicants to the senior level must have a minimum of 3 years playing experience.
- (6) A person with insufficient playing experience to become a member of the senior level, or a person wishing to be considered for future openings in the senior level, may become a member of the novice, junior or intermediate level until the requisite experience is attained and/or vacancies open up.

## **Non-members**

6. (1) A person who is not a member of the band may participate in band functions on a trial basis for up to 4 weeks, after which time the person must submit an application for membership as outlined in section 3.
- (2) Under special circumstances, students from the host school may be invited to participate at an appropriate level for their playing ability in consultation with the conductor(s). They must follow the application process as outlined in section 3 but it is noted these students would not be members, would not be required to pay dues and would not have voting privileges. They will be issued uniforms and assume responsibility for same.

## **Termination of Membership**

7. (1) Membership automatically lapses on August 31 each year and is renewable on payment of the ensuing season's dues.
- (2) If a member's conduct is deemed prejudicial to the interests of the band, the executive, by a majority of votes cast, and after consultations with the member, may expel the member. Reinstatement, upon appeal of a member, is possible either
  - (a) by a majority of members' votes cast at a general meeting, or
  - (b) by a majority of votes cast by the executive.
- (3) A member may be expelled for such misdemeanors as theft, abuse of band property, non-payment of dues, or chronic absence from practices or concerts.
- (4) In subsection (3), "chronic absence" means 3 unexcused absences from practices in a 5 month period or one unexcused absence from a concert.
- (5) A person ceases to be a member of the band
  - (a) by delivering his or her resignation either verbally or in writing to the secretary or by mailing or delivering it to the address of the band, or
  - (b) on being expelled.

## **Register of Members**

8. The secretary must keep a register of all members that contains the following information:
  - (a) full name;
  - (b) full resident address;
  - (c) telephone number;
  - (d) e-mail address;
  - (e) instruments played;
  - (f) band level;
  - (g) dues information.

## **Dues**

9. (1) The amount of annual dues will be proposed by the executive, bearing in mind the best interests of the band and the achievement of its objectives, and any increase in dues must be approved by a majority of votes cast by the band in a general meeting.
- (2) The band's season commences on September 1 in each year and dues are payable within 4 weeks after the first practice.
- (3) If dues are not paid within 2 months, membership may be terminated as outlined in section 7(3).
- (4) Notwithstanding subsections (1), (2), and (3), special consideration may be given by the executive in cases of hardship. Requests for consideration should be submitted to the executive in writing.
- (5) Members resigning in good standing may request a prorated refund by writing to the executive. Such refund would be contingent upon return of all band property.

## **Bylaws Available**

10. A copy of the constitution and bylaws must be kept available for the perusal of any member upon request.

## **Meetings**

11. (1) The annual general meeting must be held in June of each year.
- (2) The executive must decide the time and place of the annual general meeting and give written notice at rehearsals at least 14 days prior to the meeting.
- (3) Special general meetings may be called by the president with the consent of the executive, or on request of at least 10% of the members. Notice of a special general meeting must be given to all members at least 14 days prior to the meeting.
- (4) Meetings of the executive must be held monthly.

## **Quorum**

12. A quorum at a general meeting consists of 25% of the members, but never less than 3 members.

## **Voting**

13. (1) Voting may be by show of hands or, at the request of any member, by secret ballot, and the secretary must record the numbers of votes for or against a question and the number of members abstaining.
- (2) Except as specified elsewhere in these bylaws, all questions may be settled by a simple majority vote.
- (3) Proxy voting is not permitted.

- (4) Absentee voting is permitted under the following conditions:
  - (a) the member must be a member in good standing;
  - (b) the absentee ballot may be used only on resolutions of which the member had previous notice, and the specific resolution must be specified on the ballot;
  - (c) the absentee ballot must be in writing and be given to the executive at least 24 hours before the appropriate general meeting;
  - (d) the absentee ballot must be opened at the general meeting and its contents made known to the members present, except in the case of a secret ballot where it must be included in the final tally.

## **Election of Officers**

- 14. (1) All elections to office are for a term of one year, or until the next annual general meeting.
- (2) A nomination will be accepted for 2 weeks prior to and including the date of the annual general meeting, after which time elections must take place.
- (3) If the nominee is not present at the annual general meeting his or her acceptance, in writing, must have been obtained beforehand by the executive.
- (4) To be elected to the executive position of treasurer, the member must have been a member in good standing for the complete season immediately preceding his or her election.
- (5) The president, vice-president, secretary and treasurer must not hold office in the same position for more than 3 consecutive years.
- (6) Any vacancy occurring on the executive may be filled for the remainder of the term by election at a special general meeting called for the purpose.

## **Executive**

- 15. (1) The band is administered by an executive composed of the following:
  - (a) President;
  - (b) Vice-President;
  - (c) Secretary;
  - (d) Treasurer;
  - (e) Publicity Manager;
  - (f) Senior Band Manager;
  - (g) Intermediate Band Manager;
  - (h) Junior Band Manager;
  - (i) Properties Manager;
  - (j) Librarian.
- (2) A conductor may attend an executive meeting at the request of the president, but has no voting privileges.
- (3) A member or officer will not be paid any remuneration for services rendered to, or on behalf of, the band, but the executive or membership may authorize

- the payment of a member's out-of-pocket expenses where such payment appears to be in the band's best interest.
- (4) The executive may appoint committees for specific purposes, and the chair person of any such committee, if not a member of the executive, may attend an executive meeting at the request of the president.

### **Duties of the Executive Members**

- 16.** (1) The president must preside at general meetings and executive meetings and may have a deliberative vote.
- (2) The vice-president must assist the president, and in the absence of the president must assume the president's duties.
- (3) The secretary must
- (a) ensure that regular meetings are held and keep minutes of all such meetings,
  - (b) attend to all correspondence and bring to the attention of the executive as soon as possible any communication from whatever source,
  - (c) have charge of the minutes and records of the band, and
  - (d) communicate with the treasurer to perform any filings under the *Society Act*.
- (4) The treasurer must
- (a) receive and bank all moneys collected by whatever agency from the members of the band or from other sources,
  - (b) keep accurate accounts of all assets, revenues, and expenditures,
  - (c) keep separate records of income and expenditure for each level of the band,
  - (d) present complete financial statements at the annual general meeting, and
  - (e) perform all filings required under the *Income Tax Act*, and assist the secretary to perform any filings required under the *Society Act*.
- (5) The Senior Band manager is responsible for
- (a) arranging performances of the senior level,
  - (b) notifying the publicity manager and other band managers, and
  - (c) submitting a report at the annual general meeting.
- (6) The Intermediate Band manager is responsible for
- (a) arranging performances of the intermediate level,
  - (b) notifying the publicity manager and other band managers, and
  - (c) submitting a report at the annual general meeting.
- (7) The Junior Band manager is responsible for
- (a) arranging performances of the junior level,
  - (b) notifying the publicity manager and other band managers, and
  - (c) submitting a report at the annual general meeting.
- (8) The publicity manager must act as liaison between the media and the band and must publicize events of the band when necessary.
- (9) The properties manager is responsible for the band's uniforms and instruments, and must maintain an inventory of uniforms and instruments.

- (10) The librarian is responsible for the band's music library.
- (11) It is the responsibility of the retiring executive to account for all music, uniforms, instruments and other property at the end of each fiscal year.

## **Conductors**

- 17. (1) A conductor's functions are to conduct his or her band level and arrange for a substitute conductor when absent. In consultation with the executive, each conductor is responsible for the philosophical and musical direction and growth of the band, music selection, ensemble size and concert programming.
- (2) Each conductor is responsible to the members for
  - (a) conducting at rehearsals and special events such as concerts, and
  - (b) endeavouring to better the musical ability of members.
- (3) A conductor has the final decision on matters pertaining to the degree of progress of individuals and their appropriate placement. In matters of policy, conductors are subject to the decisions of the executive.
- (4) The remuneration of the conductors is to be decided by the members with guidance from the executive.

## **Appointment or Removal of Conductors**

- 18. (1) Conductors are to be appointed for a term of 3 years. Each year runs from September to August 31.
- (2) A conductor must give 60 days notice if he or she wishes to resign the position.
- (3) The executive may dismiss a conductor
  - (a) after consultation with the conductor, and
  - (b) with the approval of a majority of votes cast by the members of that band level.
- (4) If a conductor resigns before the end of the term the executive may appoint an interim conductor until the selection process set out in section 19 can be carried out.

## **Selection Process**

- 19. (1) In June of the third year of a conductor's term of appointment, the executive must conduct a vote of the members of that band level to determine whether to initiate the selection process for a new conductor.
- (2) To initiate the process, a majority of members of that band level must approve.
- (3) If a majority of the members vote to initiate the selection process, the executive must seek out qualified conductors, including the incumbent

conductor, who wish to be considered for the position. Members may then vote for a new conductor from the resulting list of candidates.

- (4) If there are more than 2 candidates for a position, and if no candidate receives a majority of the total votes cast, the candidate with the least number of votes must be eliminated and a new vote must be taken until one candidate receives a majority of the total votes cast.

### **Probationary Period**

20. A conductor selected under section 19 is subject to a one year probationary period, at the end of which the members must vote to continue the term of appointment set out in section 18(1).

### **Books and Records**

21. The books and records of the band must be available for inspection by members within one week of such request and at the annual general meeting.

### **Borrowing Power**

22. The band has no borrowing power with respect to funds but must operate on a cash basis.

### **Alteration of Constitution and Bylaws**

23. (1) Any alteration of the constitution or bylaws of the band must be effected only by special resolution passed by the band in general meeting and requires a majority vote of 75% of the votes cast.  
(2) Notice of motion to amend or alter the constitution or bylaws must be given to the members at least 14 days before the general meeting at which it is proposed to alter the constitution or bylaws, and such proposals must be presented to the secretary 4 weeks prior to the general meeting.

### **Robert's Rules of Order**

24. When a situation arises during a meeting which is not covered by the constitution and bylaws the determining authority will be Robert's Rules of Order, and the secretary must keep a copy available for consultation at all meetings.

