

Greater Victoria Concert Band

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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 an area where musicians can gather to enjoy playing music and to endeavour to better the musical capabilities of the members, and
 - (b) to provide a band representative of the Greater Victoria area, available for civic and charitable functions.

Dissolution Clause.

3.
 - (a) A vote to dissolve the band must be passed by 51% of the members.
 - (b) In the event of the winding up and dissolution of the band, 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.
 - (c) The executive must, as soon as practicable, pay any outstanding debts from band funds.
 - (d) Assets are to be held no less than 3 months and no longer than 3 years, pending possible revival of the band.
 - (e) If the band is not revived during the period described in subsection (d) 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
(as amended at the Annual General Meeting, June 11, 2003)

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;
 - “**beginner/intermediate band**” means the training bands described in section 5(5);
 - “**conductors**” means the conductor(s) with the functions set out in section 16(2);
 - “**senior band**” means the most senior level of the Greater Victoria Concert Band conducted by the music director;
 - “**music director**” means the music director with the functions set out in section 16(1);
 - “**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);
 - “**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
 - c) be prepared to pay dues as outlined in bylaw 9
- (2) A member will receive as proof of membership
- a) a receipt for dues paid
 - 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 annual or special meetings and all rights and responsibilities for members in good standing (bylaw 4)

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 vote, 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) The decision of the executive may be overruled at a general meeting by 75% majority of the votes cast by the members present.

(4) Membership within each level of the band will be determined by a group's conductor, in consultation with the executive, taking into account the balance within each ensemble and the capabilities of its players. Players may only move from one GVCB band to another with the approval of the conductors.

(5) Upon acceptance of membership and payment of dues, the applicant gains full rights and privileges of a member in good standing.

Member in good standing

4. (1) A member 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) must 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 – Playing levels

5. (1) Members leaving or not returning should notify section leaders, the executive, or the music director/conductors as early as possible.
- (2) In August, preceding the first rehearsals of the season, section leaders will contact past year's members. Sections will first be filled, by the third rehearsal, with returning members of the ensemble.
- (3) The procedure for filling vacancies in a section may be as follows, at the invitation of a band's conductor:
- a) first, by a capable member in good standing from another GVCB band,
 - b) second, from a waiting list of applicants, section (3),
 - c) finally, by advertising openings within the community.
- (4) Applicants to the Senior band must have a minimum of 3 years playing experience and follow the application process in section 3.
- (5) A person with less than 3 years playing experience or insufficient playing experience to become a member of the Senior band, or a person wishing to be considered for future openings in the Senior band, may become a member of the beginners or intermediate

band(s) until the requisite experience is attained and/or vacancies open up, then follow the application process.

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 they 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 music director/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 ensuring season's dues.
- (2) If a member's conduct is deemed prejudicial to the interests of the band the executive, by a unanimous vote, and after consultations with such a member, may expel the member, it being understood that reinstatement, upon appeal of a member, is possible either
- a) by 75% majority vote of members present at a general meeting,
- or
- b) by a majority vote of the executive
- (3) A member may be expelled for such misdemeanors as theft, abuse of band property, non-payment of dues, chronic absence from practices or concerts with reasonable cause.
- (4) In subsection 7(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,
 - b) on being expelled,
 - c) on his or her death.

Register of Members

8. The secretary must keep a register of all members containing following information:
- a) full name;
 - b) full resident address;
 - c) telephone number;
 - d) instruments played;

- e) band level;
- f) 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 voted on 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 3 months membership may be terminated as in section 7(3).
- (4) Notwithstanding the above 9(1), (2), and (3), special consideration may be given by the executive in cases of hardship.
- (5) Persons resigning in good standing may request a prorated refund in writing to the GVCB executive. Such refund would be contingent upon return of all band property.
- (6) Those awarded honorary life memberships do not pay dues.

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 AGM.
- (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 such meetings must be given to all members at least 21 days prior to the meetings.
- (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 only be used 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 know 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) A member of the executive in the following offices: 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 president, vice-president, secretary, treasurer, publicity manager, Senior Band manager, Intermediate Band manager, Junior Band manager, properties manager, and librarian.
 - (a) to ensure fair representation on the executive, each level of band may exercise the right to elect a representative to attend executive meetings, but have no voting privileges.
 - (2) The music director and beginner/intermediate band conductor may attend executive meetings at the request of the president, but have not 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 executive meetings at the request of the president.
- (5) The executive members are responsible for the following duties:
- a) **the president** must preside at general meeting and executive meeting and may have a deliberative vote;
 - b) **the vice-president** must assist the president, and in the absence of the president must assume the president's duties;
 - c) **the secretary** must
 - (i) ensure that regular meetings are held and keep minutes of all such meetings,
 - (ii) attend to all correspondence and bring to the attention to the executive as soon as possible any communication from whatever source,
 - (iii) have charge of the minutes and records of the band,
 - (iv) communicate with the treasurer to perform any filings under the *Society Act*.
 - d) **the treasurer** must
 - (i) receive and bank all moneys collected by whatever agency from the members of the band or from other sources,
 - (ii) keep accurate accounts of all assets, revenues, and expenditures,
 - (iii) keep separate records of income and expenditure for the band and the beginner/intermediate band,
 - (iv) present complete financial statements at the annual general meeting, and
 - (v) perform all filings required under the *Society* and the *Income Tax Act*;
 - e) **the Senior Band manager** is responsible for arranging performances and concerts of the Senior band, notification of the publicity manager and must submit a report at the annual general meeting;
 - f) **the Intermediate Band manager** is responsible for arranging performances and concerts of the Intermediate band, notification of the publicity manager and must submit a report at the annual general meeting;
 - g) **the Junior Band manager** is responsible for arranging performances and concerts of the Junior band, notification of the publicity manager and must submit a report at the annual general meeting;
 - f) **the publicity manager** must act as liaison between the media and the band and must publicize all events of the band;
 - g) **the properties manager** is responsible for the band's uniforms and instruments;
 - h) **the librarian** is responsible for the band's music library.

(6) 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.

Music director and conductor(s)

- 16.** (1) The music director's principle function is to conduct the senior band and must arrange for substitute conductors in or her absence. In consultation with executive, the music director is responsible to the band for the philosophical and musical direction and growth of the band, music selection, ensemble size and concert programming, as well as providing functional direction to the beginner/intermediate band conductor.
- (2) A music director or conductor is responsible to the band members for conducting at rehearsals and special events such as concerts, and must endeavour to better the musical ability of the band and is responsible for substitute conductors in his or her absence. A musical director or conductor has the final decision on matters pertaining to the degree of progress of individuals and their appropriate placement. In matters of policy, the music director and conductor(s) are subject to the decisions of the executive.
- (3) The remuneration of the conductors is to be decided by the members with guidance from the executive.

Appointment or removal of music director/conductor and conductor(s)

- 17.** (1) The music director and conductor are to be appointed for a term of 3 years (each year running from September to August 31).
- (2) The music director or conductor must give 60 days notices if he or she wishes to resign the position.
- (3) The executive may,
- a) after 60 days notice, and
 - b) with the approval of 70% of the members, dismiss the music director or conductor for just cause or unusual circumstance relating to the music director's or conductor competence.
- (4) If the music director or conductor resigns before the end of the term the executive may appoint an interim music director or conductor until the selection process set out in section 18 can be carried out.

Section process

- 18.** (1) In January of the third year of the music director's or conductor's term of appointment, the executive must conduct a vote of the members to determine whether to initiate the selection process for a new music director or conductor.
- (2) To initiate the process, the required majority is 70% of members.
- (3) If the required majority of members under subsection (2) vote to initiate the selection process, the executive must seek out qualified conductors, including the incumbent music director or conductor, who wish to be considered for the position and members may then vote for a new music director or conductor from the resulting list of candidates.

(4) If there are more than 2 candidates for a position, and if no one candidate receives more than 50% of the total vote, the candidate with least number of votes must drop out and a new vote must be taken until one candidate receives more than 50% of the total vote.

Probationary Period

19. A new music director or conductor selected under section 18 is subject to a one year probationary period, at the end of which the members must vote to commence the term of appointment set out in section 17 (1).

Books and records

20. 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

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

Alternation of constitution and bylaws

22. (1) Any alternation of the 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 members present.
(2) Notice of motion to amend or alter the constitution must be given to the members at least 14 days before the general meeting at which it is proposed to amend or alter the constitution, and such proposals must be presented to the secretary at 4 weeks prior to the general meeting.

Roberts' Rules of Order

23. Whenever any situation arises which is not covered by the constitution and bylaws the determining authority will be Roberts' Rules of Order, and the secretary must keep a copy available for consultation at all meetings.