

RULES OF KUMEU BRASS INCORPORATED

1. The name of the Society shall be Kumeu Brass Incorporated.

OBJECTS

2. The objectives for which the Society (hereinafter termed "the Band") is established are:-

- (a) To encourage Band performance and to assist in the advancement thereof
- (b) To acquire musical instruments, music, uniforms or property necessary for the study, practice and performance of the Band.
- (c) To study and encourage music.
- (d) To buy and sell or exchange all things which shall be in the opinion of the Executive Committee expedient to buy and sell.
- (e) To co-operate with any other Band in New Zealand having similar objects.
- (f) To foster and encourage social life for the Band as it shall seem to the Executive Committee desirable.
- (g) To raise funds for the purpose of assisting any charity or charities or any matters in which the Band as a body is interested.
- (h) To publish, issue and circulate books or other literature undertakings that may be for the benefit of the Band, or may seem conducive to any of these objectives.
- (i) To preserve all records like to prove of value or historic interest to the Band.
- (j) To build or to acquire by purchase lease or otherwise any real or personal property for the purpose of establishing or maintaining any club-house, bandroom or any other accommodation or facilities whereby the objects of the Band or any of the may be furthered.
- (k) To apply for and acquire any licence or licences for the accomplishment of the foregoing objects or any of them.
- (l) Generally to do by all lawful means, all such acts, matters, and things as may be incidental to or conducive to the attainment of all all or any of the objects hereinbefore stated.

3. The income, assets and property of the Band shall be applied only towards the promotion of the objects thereof as set forth in these Rules, and no portion of its income or funds shall be paid directly or indirectly by way of profit to any member of the Band. Provided that nothing herein contained shall prevent payment in good faith.

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OFFICERS WHO SHALL BE ELECTED AT THE ANNUAL GENERAL MEETING

4. (1) A Patron
- (2) A Vice patron 2 or more in number as shall be appointed
- (3) A President who shall be the official head of the Band and who shall ex officio be a member of the Executive Committee.
- (4) A Secretary and a Treasurer. The offices of Secretary and Treasurer may be held by one person.
- (5) An Executive Committee consisting of not more than 8 elected members (to include 2 representatives of the Auxiliary Band to undertake Secretarial and Treasurer roles for the Auxiliary Band) and the President, Secretary, Treasurer, Band Manager and Musical Director and Auxiliary Band Director.
- (6) Band Manager a player who will act as disciplinarian and assume the duties of Drum Major if required.

OFFICERS WHO SHALL BE APPOINTED BY THE EXECUTIVE COMMITTEE

5. (1) Librarian, who shall attend band practises regularly.
- (2) Custodian, who shall ensure safekeeping of the Band's physical assets
- (3) Drum Major - responsible for drilling of band for parades
- (4) Assistant Conductor, who is able to stand in for the Musical Director when required.
- (5) Web site/ Publicity manager - to maintain and update website and co-ordinate any publicity for the Band
- (6) Musical Director

MEMBERSHIP

6. The membership of the Band shall be divided into the following classes:
 - a) Playing members
 - b) Juniors
 - c) Non-playing members
 - d) Honorary Life Members

Playing members are persons qualified to play on a band instrument and who have been accepted by the Executive Committee

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Junior members are learners or intermediates who have been accepted by the Executive Committee

Non-playing members shall consist of such persons elected as members of the Band according to these Rules.

Every application for membership shall be approved by the Executive Committee

Honorary Life Members shall be elected by a 3/4 majority of those voting at any General Meeting. They shall become and remain members for life with the full privileges of membership including holding office and voting but without payment of an annual subscription.

ALTERATION OF RULES

7. (a) The Rules of the Band shall not be altered, added to or rescinded except by resolution in General Meeting of the Band, duly convened and in accordance with Rule 10, *provided that no addition or alteration or rescission shall be approved if it affects the pecuniary profit clause or the winding up clause. (1994)*
- (b) All financial members must be notified in writing fourteen days before a General Meeting of any proposed changes of the Rules.

ACCOUNTS

8. (a) The financial year of the Band shall end on the 30th day of June in every year.
- (b) The Executive Committee shall cause true and proper accounts to be kept as may be necessary to record the financial position of the Band, and shall present an annual Statement of Accounts in the form of an Income and Expenditure Account and Balance Sheet.

TERMINATION OF MEMBERSHIP

9. Every person shall cease to become a member in any of the following ways:
 - (a) Receipt by the Secretary of a Notice of resignation signed by the resigning member.
 - (b) In the case of non-playing members, upon the failure to pay the annual subscription within one year from the date upon which the same became due.
 - (c) In the case of playing members, termination of membership shall be decided by the Executive Committee
 - (d) Upon expulsion by resolution of the Executive Committee on the grounds conduct unbecoming or unworthy of a member of the Band.

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- (e) The Executive Committee upon complaint and inquiry may remove from membership any member who in the opinion of the Executive Committee has been guilty of such conduct as to render the continuance of his membership against the interest of the Band.
Provided always that any member removed from membership under the foregoing provisions shall not be freed from the liability to pay subscription due by him before his name removed from membership.
- (f) Any member suspended by the Executive Committee shall have the right to ask for an appeal which will be held before a Special General Meeting of the Band

MEETINGS

- 10. (a) The Annual General Meeting of members of the Band shall be held in the month of July in each year at such place and time as shall be fixed by the Executive Committee. The order of business shall be as follows:-
 - (1) Minutes of previous Annual Meeting
 - (2) Annual Report and Balance Sheet
 - (3) Election of Officers
 - (4) Election of Auditor
 - (5) General business
- (b) The members present at the Annual General Meeting shall elect an Executive Committee from members to hold office for the ensuing year. Candidates for membership of the Committee shall be proposed and seconded by financial members of the Band.
- (c) A Special General Meeting of the Band may be called at any time by the Executive Committee and the Secretary shall on the requisition of any two members of the Executive Committee or on the requisition in writing of any seven members of the Band convene a Special General Meeting of members to be held not later than one calendar month from the date of such requisition.
- (d) The quorum for a General Meeting shall be ten members personally present and the quorum of an Executive Committee meeting shall be six. If within half an hour from the time appointed for any meeting a quorum is not present the meeting convened upon the requisition of members shall be dissolved.

If any other case it shall stand adjourned to the same day and time in the next week and the members present at the adjourned meeting may transact the business as if they constituted a full quorum.
- (e) The Executive Committee may meet for the dispatch of business, adjourn or otherwise regulate their meetings and proceedings as they think fit.
- (f) in the Chairman's absence from an Executive Committee meeting those present shall appoint one of their number to act as Chairman.

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VOTING

11. (a) At all meetings of the Band each financial member shall be entitled to one vote.
- (b) Voting shall be by voice, providing that if any member present expresses such desire the Chairman shall call for a show of hands.
- (c) Should five members present demand that any question be decided by poll, a secret ballot shall be conducted under the direction of the Chairman.
- (d) The Chairman shall have both a deliberative vote and casting vote

REGISTERED OFFICE

12. The registered Office of the Band shall be at such place as the Executive Committee shall by resolution determine.

MANAGEMENT and EXECUTIVE COMMITTEE

13. (a) The management of the Band shall be vested in the Executive Committee (as detailed in Section 4 (5)).
- (b) The duties of the Secretary and Treasurer shall be determined by the Executive Committee.
- (c) Any member of the Executive Committee shall ipso facto vacate his office:-
 - (i) (1) If he is absent from three consecutive meetings of the Executive Committee without leave of absence from the Executive Committee.
 - (ii) (2) If he has become of unsound mind.(
 - (iii) (3) If his subscription has not been paid within 30 days from due date.
- (d) The Executive Committee shall have power to fill any casual vacancy that may occur.

NOTICES

- 14 (a) Seven clear days notice specifying the place day and hour of any meeting and the purpose for which it is to be held shall be given either by advertisement in a daily newspaper circulating in the district or by notice sent by post to each member or by posting such notice on the Band's Noticeboard (if any).
- (b) Whenever any meeting is adjourned at least four days notice shall be given in a like manner.
- (c) The accidental omission to give, or the non-receipt of any such notice to or by way of the members shall not invalidate any resolution passed at the meeting to which such notice relates.

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- (d) All notices which are required to be served on the Band shall be deemed to have been properly served if delivered or addressed to the Secretary at the registered office of the Band.

ANNUAL SUBSCRIPTION

15. (a) An Annual Subscription shall be payable by all playing, junior and non-playing members other than honorary life members. The rates payable will be decided at the Annual General Meeting. If no rate is set at any Annual General Meeting the rate for the previous year will continue in effect.
- (b) In the case of persons applying for membership six months or more after the commencement of that financial year, the subscription payable for that year shall be half of the Annual Subscription.
- (c) All subscriptions shall be payable in advance on the first of October of each year.
In the case of a member whose subscription remains unpaid for one month from that date the Executive Committee may cause the Secretary to notify him that unless he makes himself financial within one further month he shall cease to be member of the Band.

SEAL

16. The Band shall have a common seal and the Secretary shall be responsible for its safe custody.

Instruments requiring to be executed by the Band under seal shall be executed by the Secretary affixing the common seal thereto pursuant to a resolution of the Executive Committee

FUNDS

17. (a) The Executive Committee may invest surplus funds in the name of the Band in such a manner as may be allowed by law.
- (b) Bank Account(s) shall be kept by the Band and operated upon by any two Executive Committee members of three so authorised by the Executive Committee.
- (c) The Treasurer, Secretary and any one member of the Executive Committee so authorised may endorse cheques of or other negotiable instruments to the order of the Band.
- (d) No moneys shall be expended for any purpose other than those specified in Rule 2.
- (e) The Executive Committee may, subject to a properly constituted motion and resolution passed with a vote of not less than 75% of the *full Band Committee*, borrow monies to provide sufficient funds to meet the objects of Rule 2 of the *constitution*.

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AUDITOR

18. An Auditor shall be elected at the Annual General Meeting for the purpose of auditing the accounts of the Band and to certify the Annual Balance Sheet.

BAND PROPERTY

19. The Executive Committee shall decide the terms on which the playing members shall have custody of property belonging to the Band and shall also determine the responsibility for any damage done to such property while in the custody of such playing members of the Band.

WINDING UP

20. (a) In the event of the winding up of the Band or its dissolution by the Registrar, the funds, property and assets of the Band shall be disposed of and distributed in such mode as the Band in General Meeting shall resolve. Notice of such winding up as aforesaid shall be sent to the Registrar of Incorporated Societies/ The Charities Commission.

(b) If upon the winding up of or dissolution of the Band there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Band but shall be given or transferred to some other charitable organisation or body having objects similar to the objects of the Band or for some other charitable purposes in New Zealand

CASES NOT PROVIDED FOR

21. Any case occurring not provided for by these Rules shall be referred to the Executive Committee whose decision shall be final.

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