

# Oakleigh City Band Incorporated

## Schedule of By-Laws



**Version number 002**

**Date of Approval by General Meeting of “The Band” .../.../.....**

**Document Updated by: Alan Hillier**

**Date: 11/03/2016.**

President: Catherine Keeffe

Vice President: Brian Sorenson

Secretary: Daniel McIlvride

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## **SCHEDULE OF BY-LAWS**

### **1. GENERAL**

- 1.1. These By-Laws are in accordance and consistent with the provisions of the model rules of Consumer Affairs Victoria.
- 1.2. They shall remain in force until such time as they are repealed or otherwise amended by special resolution at a general meeting of The “Oakleigh City Band Incorporated” hereafter referred to as “The Band”.
- 1.3. A copy of these By-Laws shall be made available to every member of The Band.
- 1.4. Within a reasonable time after the adoption by The Band of any alteration, a copy will be made available to every member of The Band.
- 1.5. The Band may also adopt the Performance Name “Oakleigh Brass” to be used in public performances.
- 1.6. The registered address of The Band is P.O Box 713, Oakleigh, Vic., 3166
- 1.7. All matters not covered by the CAV Model Rules or these By-Laws shall be determined, upon submission or application, by The Band Committee.

### **2. FINANCIAL MATTERS**

- 2.1. New Members joining The Band will not be charged a Joining Fee.
- 2.2. Members joining The Band after the start of the financial year will pay a pro-rata annual subscription fee based on the remaining part of the financial year.
- 2.3. Associate Members

Associate members, defined at rule 14 in the CAV model rules include :

  - 2.3.1. Any members under the age of 15 years; and
  - 2.3.2. Any member who does not rehearse and perform with The Band and pays the Associate member subscription fee.
  - 2.3.3. An Associate member must not vote, nor be elected to the committee, but has all the other rights of a member defined in the model rules.

### **3. COMPOSITION OF COMMITTEE**

- 3.1. The Model Rule 44 requires The Committee to consist of President, Vice-President, Secretary, Treasurer and Ordinary Members elected under Rule 53. The outgoing committee will recommend to the Annual General Meeting the number of ordinary members to be elected to the committee. The number of ordinary members recommended by the committee should be such that the total size of the elected committee be a minimum of four and not exceed 25% (rounded up to the nearest whole number) of the number of members of The Band at the time of the Annual General Meeting.
- 3.2. A single election will be held to fill the required number of ordinary committee members.
- 3.3. The elected committee will identify specific roles to be undertaken and appoint members of The Band (including members of The Committee) to undertake these roles. (See Appendix 1)
  - 3.3.1. The specific roles must include the roles of Librarian and VBL delegate and these roles must be filled by a member of The Committee.
- 3.4. All members of The Band carrying out specific roles (see 3.3) shall have access to the necessary keys to cupboards and doors to enable them to perform their office satisfactorily. The President and Secretary may have a full set of keys. Upon any person ceasing to carry out a specific role or be a member of the Committee, all keys held and any minutes or notes relating to The Band shall be immediately returned to the Secretary. Any member accessing the hall outside of hours The Band hires the hall must comply with the procedure agreed with the Manager of Halls, Monash Council regarding out of hours access to the hall.

### **4. RESPONSIBILITIES OF MEMBERS OF THE BAND**

- 4.1. No member of the Committee or The Band shall without the prior approval of the Committee, enter into any agreement or sign any documents relating to the affairs of The Band or involving The Band in any expenditure.
- 4.2. Where the Committee invites Band members to participate in a contest having solo and party sections, The Band shall pay the entry fees for all entries by Band members except that if a member, or party of members does not attend for any or all of the entered sections then that member, or party of members, shall forthwith refund The Band all entry fees for those sections not attended. Where a member of The Band requests the Committee to endorse their participation in a contest having solo and party sections, Band members shall pay the entry fees for all entries.
- 4.3. Any member having custody of a musical instrument, uniform or any property of The Band is required to sign the property register indicating his/her agreement to undertake to responsibly

maintain the articles and make good any loss or damage other than fair wear and tear and accidental damage or loss insured against while undertaking activities of The Band.

- 4.4. A member shall not use the property of The Band in connection with any other organisations or for personal use without first obtaining the written permission of the Committee.
- 4.5. Members shall immediately notify the Secretary of any change of address.
- 4.6. The Band may have an Auxiliary Band and/or Learner's Class which shall be governed by these Rules and By-Laws.

## **5. LIFE MEMBERSHIP**

- 5.1. The Band may elect annually to Life Membership of The Band one (1) person, or in exceptional circumstances more than one person, who, has rendered an outstanding service to The Band. Life Membership shall be awarded at the Annual General Meeting on a simple majority of members present and eligible to vote.
- 5.2. Nomination for Life Membership shall be received from members by the Secretary up until one calendar month before the date set for the Annual General Meeting, and shall be considered by the Committee prior to making recommendations to the Annual General Meeting.
- 5.3. Life Members would have demonstrated outstanding service in both performance and organizational aspects of The Band over a long period of time.
- 5.4. Nominations must be accompanied by an account of the member's reasons for putting forward the nomination. The nominating member may be required to further support the nomination to the Committee in writing, amplifying the reasons and circumstances justifying the nomination.
- 5.5. Life Members shall enjoy all rights and privileges of The Band.
- 5.6. Life Members are not required to pay annual subscriptions.

## **6. HONOURS AND AWARDS**

- 6.1. The Band will recognize and reward members for continuous years of service. Awards will recognize 5, 10, 15, 20, and each additional decade of service.
- 6.2. The Band may also nominate members for VBL Awards.

## **7. VICTORIAN BANDS LEAGUE INCORPORATED**

The Band shall maintain an affiliation with the Victorian Bands League Incorporated.

## **8. HONORARY APPOINTMENTS**

The Annual General Meeting may appoint an appropriate person as a Patron of The Band.

## **9. MUSICAL STAFF**

9.1. The Musical Director of The Band is appointed by the Committee of The Band.

9.2. The appointment of a Musical Director is subject to such terms and conditions as the Committee deems fit and for such a term that the Committee decides.

9.3. The Musical Director will be an ex-officio member of the Committee with full voting rights.

9.4. The Musical Director shall be offered an honorarium to be agreed and which honorarium shall be subject to review in the first quarter of each financial year.

9.5. The Musical Director is responsible for maintaining and seeking to improve the musical standard of The Band .

9.6. The Musical Director may recommend the appointment of one or more assistants and/or deputies, such appointments to be made by the committee.

9.7. Assistant and/or deputy musical directors shall be offered occasional honoraria for each complete rehearsal and/or performance they direct.

9.8. In the event that the position of Musical Director becomes vacant, a member of the committee may be appointed Musical Director and maintain their role on the committee until the next general meeting of The Band.

## **10. PRIVACY POLICY**

The band operates under the privacy policy included as APPENDIX 2

## 11. WINDING UP

Should it become necessary, the winding up of The Band must be carried out as defined by Model Rule 76. It is recommended in these By-Laws that

11.1. The assets of The Band will either:-

(a) Be donated to the State Government Schools within the City of Monash

And/or

(b) Be sold and all monies dispersed equally amongst the State Government Schools within the City of Monash

And/or

(c) Donated to VBL to be disposed as it sees fit.

11.2. The records and historical data of The Band be donated to the Oakleigh and District Historical Society Inc.



## APPENDIX 1

### TYPICAL POSITION DESCRIPTIONS FOR ROLES THAT MAY BE APPOINTED BY THE COMMITTEE

#### Librarian

The Librarian shall be responsible for the maintenance of the Library of the Band and shall keep a catalogue of all music, written sheet or score.. The Librarian shall not part with or loan any music (except to members of the Band at the Musical Director's instructions) without obtaining the signature of the person to whom the music is loaned. The Librarian shall be responsible, at all rehearsals and performances, for the distribution and collection of music as required or directed by the Musical Director.

#### Delegate

The Delegate to the Victorian Bands' League shall be a member of the Committee and shall be responsible for presenting a report of each League Meeting to the Band Committee and to the band. The Delegate shall also be responsible for presenting the Band's viewpoint at League meetings, as instructed by the committee, and in general work towards improving the Administrative liaison and its effect in furthering Victorian Banding.

#### Property Custodian(s)

The Property Custodian(s) shall be responsible for the maintenance of particulars of all property other than music and in particular is required to maintain records of all instruments (instrument custodian) and uniforms (uniform custodian) on issue or held in storage by the Band. All permanent trophies won by the Band are to be considered property and details thereof shall be maintained by the relevant Property Custodian. The retiring Property Custodian shall, on vacating office, provide the Committee with details of all property, trophies and equipment status and shall return all keys held to the Committee for transfer to the successor.

#### Drum Major

The Drum Major shall be in charge of the Band whenever the Band is on Parade and is responsible for the Drill Instruction of the Band. The Drum Major is required to lead the Band on the march and also has the responsibility for the maintenance of Dress and Behaviour Standards of the Band on the march. The Drum Major is required to present an annual report, at the Annual General Meeting, of the progress of the Band with relation to "Discipline, dress and drill" matters and may be required to attend meetings of the Band Committee to provide similar reports.



## APPENDIX 2

# **Oakleigh City Band Inc. Privacy Statement**

1. The Oakleigh City Band Inc. collects personal information for the purposes of band and player registration, contest management, advising members about activities or other activities that may be of interest to members.
2. The Oakleigh City Band Inc. collects this information through membership forms and other forms which may be distributed to members from time to time.
3. Such forms are to be completed in writing or by electronic means and provided to the Honorary Secretary or another designated person. The Oakleigh City Band Inc. takes no responsibility for the security of information sent via email or over the Internet.
4. The type of information collected may include, but is not restricted to name, address, phone numbers, email addresses, date of birth, musical history, and details of equipment loaned by the band to the member.
5. The Oakleigh City Band Inc. will use and disclose the information collected only for the purpose for which it was collected, or a related purpose that the person or organisation from which the information was collected would reasonably expect. Such related purposes may include the provision of information to the Victorian Bands' League Incorporated in order to facilitate player registrations or contest management; or the provision of information to authorised members of band committees so that players can be contacted and advised of performances or rehearsals etc.
6. The Oakleigh City Band Inc. will keep the information collected accurate and up-to-date to the best of its ability through the collection of forms from Band members on a regular basis.
7. Any member may view the information held about themselves by Oakleigh City Band Inc. at any reasonable time by making a verbal or written request to the Honorary Secretary or President. If the information held by the Oakleigh City Band Inc. is inaccurate, the Oakleigh City Band Inc. will endeavour to have the information corrected as soon as practicable.
8. Further information about this information privacy statement or how it is applied to members of the Oakleigh City Band Inc. can be obtained by making a request to the Honorary Secretary or President or writing to:

Oakleigh City Band Inc.  
PO Box 713  
Oakleigh, Vic. 3166



## APPENDIX 3

Sample Membership and Proxy Forms for Oakleigh City Band Inc.



## Application for Membership of Oakleigh City Band Inc.

I, \_\_\_\_\_  
Full name of Applicant

of \_\_\_\_\_  
Full Address

wish to become a member of Oakleigh City Band Incorporated and agree to abide by the rules of the band.

Date of birth (if under 18) .....

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## Member Register Update

We need to keep member records as we are a registered organisation, and periodically we need to check that the information is correct.

### How do we use the information?

We use emails/phone/address so that we can contact you if arrangements change.

We send names to the Victorian Bands League annually, when we register.

We don't give the information to anyone else.

Name	
Address	
Email	
Phone	
Your preferred instrument/s	
Using an Oakleigh instrument? If yes, which instrument/s?	Yes / No
Oakleigh instrument serial number/s (if applicable)	
Any band awards or service recognition?	
Previous band experience (years)	
Do you have VBL registration or interstate equivalent?	
Any other skills that you are able to share with the band?	
Date of joining Oakleigh (month, year)?	
Are you a Monash resident?	Yes / No

Thanks in advance for your help to keep your contact details up to date, by advising the committee when they change.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## Appointment of Proxy

I, \_\_\_\_\_

of \_\_\_\_\_

being a member of Oakleigh City Band Incorporated hereby appoint

\_\_\_\_\_

Being a member of the Oakleigh City Band Incorporated, as my proxy to vote for me on my

behalf at the Annual/General\* Meeting of the Band to be held on the day of \_\_\_\_\_  
and at any adjournment of that meeting.

My proxy is authorised to vote

- at their discretion
- in favour of
- against the resolution. \*

\* Circle appropriate response

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date