

PERTH AND DISTRICT PIPE BAND CONSTITUTION

1. NAME

- 1.1 The Band will be called the Perth and District Pipe Band.
- 1.2 The title of the Perth and District Pipe Band will be inalienable.

2. OBJECTS

The objects of the Band are to promote and develop the playing of the Highland Bagpipe and Pipe Band drumming; to provide tuition in piping and drumming and to perform as a Pipe Band in the community and in competitions. The Band will enjoy charitable status and comply with the regulations required of it by the Office of the Scottish Charity Regulator (OSCR) to maintain that status.

3. PATRONS

- 3.1 The Band may invite those with an interest in the Band and also in Piping and Drumming to become Patrons.
- 3.2 The Band may invite a member of the Band to be an Honorary President or Vice-President.

4. OFFICE-BEARERS

The office bearers will consist of a Pipe Major, Leading Drummer, Secretary and Treasurer.

5. COMMITTEE

- 5.1. The business of the Band will be conducted by a Committee (all of whom must be aged 16 years or over) comprised of the following post holders:
The Pipe Major, any other Pipe Majors of competing bands registered under the name of the Perth and District Pipe Band, Leading Drummer, Secretary, Assistant/Competition Secretary, Treasurer, Quartermaster, Social/Fundraising Convener, Piper Representative, Drummer Representative and Protection of Vulnerable Groups Officer, all of whom will be elected at the Annual General Meeting.
- 5.2. Only elected post holders will be able to vote at a committee meeting.
- 5.3 A quorum will be five members.
- 5.4 At the first committee meeting after the Annual General Meeting the Committee will appoint a Chair who will chair all meetings including General Meetings until

the corresponding committee meeting after the next Annual General Meeting and in the absence of that Chair the committee will appoint a substitute.

- 5.5 The Committee will have power to fill any casual vacancy in its number until the next Annual General Meeting, to appoint sub-committees and to co-opt members of the Band for special or advisory purposes.
- 5.6 Decisions of the Committee will be taken by a simple majority of post holders who are present and have voted on the item for decision. The Chair will have a casting vote.
- 5.7 In addition to post-holders and co-opted members, the Honorary President and all Members of the Band are entitled to attend Committee Meetings but may speak at any Committee Meeting only if permitted to do so by the chair.

6. MEMBERSHIP

- 6.1 Membership of the Band will be open to anyone genuinely interested in Pipe Band music regardless of age, sex, colour or creed and will comprise Playing Members, Learner Members, Parent Members, Non-playing Members and Honorary Life Members.
- 6.2 Playing Members will be members who are considered by the Pipe Major, in the case of pipers, and by the Leading Drummer, in the case of drummers, to be sufficiently proficient to play with the Band in public. The Band will provide uniforms, (but not hose or brogues) pipe chanters, reeds, drums and drum harnesses/slings for the use of the playing members (“Band Property”).
- 6.3 Learner Members will be members who are undergoing tuition in piping or drumming but who are not sufficiently competent to play with the Band in public. The Band will provide tuition for Learner Members.
- 6.4 Young members are defined as being Playing Members or Learner Members who are under the age of 16 years. Parent Members will be the parents or guardians of young members. No person under the age of 16 years will be a young member unless one of his parents or guardians is, or becomes and remains, a Parent Member.
- 6.5 Non-playing Members will be members who have never been or have ceased to be pipers or drummers but retain a continuing interest in the well-being of the Band.
- 6.6 The Band at the Annual General Meeting may elect to Honorary Life Membership a member who has rendered outstanding service to the Band.

7. SUBSCRIPTIONS

- 7.1. Annual subscriptions will be as agreed at the Annual General Meeting. Subscriptions will be determined for each category of membership. Honorary Life Members will pay no subscription.
- 7.2. Subscriptions will be payable either by setting up a monthly direct debit / standing order mandate or in full before 30th November or within 3 weeks if joining after that date.
- 7.3. The Committee, after hearing representations from that member, may suspend the membership of any member whose subscription has not been paid in full or direct debit / standing order mandate not been instructed by 31st December. During the period of suspension that member will forfeit all privileges of Band membership and the use of Band Property.
- 7.4. Inter alia subscriptions cover the use of Band Property and the accommodation it occupies from time to time and also the replacement of pipe chanter reeds (but not drone reeds) and drum skins (but not drum sticks).

8. ANNUAL GENERAL MEETING (AGM)

- 8.1. The Annual General Meeting of the Band will be held on a date in October or November when Reports and Accounts for the previous year to 30th September, examined in accordance with Rule 11, will be submitted
- 8.2. Not less than fourteen days' notice of the Annual General Meeting will be given in writing or by e-mail by the Secretary to members, by intimation notice in the Perthshire Advertiser and to the members at practices during the three week period prior to that date.
- 8.3. Members wishing an item to be included in the agenda for the AGM must submit this in writing or by e-mail to the secretary not less than 14 days prior to the meeting. Only items on the agenda may be discussed at the AGM.
- 8.4. At each AGM the post holders comprising the committee for the ensuing year will be elected. Any member who wishes to be considered for election must be proposed by a member and the proposal seconded by another member. The member who wishes to be considered for election or the proposer of that member must advise the Secretary of the member's intention along with the names of the proposer and seconder at least 7 days in advance of the AGM. When no nominations have thus been intimated for one, or more, of the posts comprising the committee then a member may be proposed for election at the AGM.
- 8.5. The Secretary will prepare for each AGM an agenda containing all the items required by law or this Constitution and this will include all items submitted by the committee or by members in accordance with Rule 8.3 for discussion / decision.

The agenda will also include a list of the names of the candidates nominated for election to the Committee as post holders. The agenda will be sent by the Secretary by e-mail to every member who has supplied an up to date valid address no less than four days before the AGM.

- 8.6 Members who are entitled to vote but are unable to attend the meeting may cast their vote in favour of any candidate who has been proposed for election as a post holder by submitting their voting intention to the Secretary by e-mail no less than two days before the AGM is scheduled to take place or in writing before the AGM starts.
- 8.7 If two, or more, members have been nominated for election to the Committee for the same post then any one of the nominee or another member chosen by the nominee may address the AGM in support of the nomination but only for a period not exceeding three minutes prior to voting taking place.
- 8.8 The Chair will have a casting vote.

9. SPECIAL GENERAL MEETING (SGM)

- 9.1 A Special General Meeting will be held within fourteen days of the receipt by the Secretary of a notice signed by eight members stating the object for which the meeting is desired. The Statement of the object shall be printed on the notice calling the meeting.
- 9.2 The Committee may call a Special General Meeting to consider any business on which it wishes the opinion of the members.
- 9.3. A Special General Meeting will be called by the Secretary in accordance with the provisions of Rule 15.4.
- 9.4. Not less than seven days' notice will be given of all Special General Meetings by the Secretary to members in writing, or by e-mail, and by verbal intimation at practices prior to the Meeting.
- 9.5 A statement of the object(s) or business for which the meeting has been called will be contained in the notice calling the meeting and will be included as an agenda item.

10. SPEAKING, VOTING AND DECISIONS AT GENERAL MEETINGS

- 10.1 All members are entitled to speak to any agenda item at an AGM or SGM. Only playing members, learner members and honorary members may vote provided that they are at least 8 years old.

- 10.2 If a young member is less than 8 years old then a parent or guardian (but only one) of that young member will have one vote relative to any item whose passing requires a vote, or for any candidate nominated as a post holder.
- 10.3 If a young member is not yet 16 but at least 8 years of age then that member may elect to allow one parent or guardian to vote for that member relative to any item whose passing requires a vote or for any candidate nominated as a post holder. If this right is exercised, then the voting entitlement of the young member ceases in relation to that agenda item or post holder. If the young member elects that a parent may vote on his or her behalf the young member will have no right to determine how the parent or guardian should vote once the election is made.
- 10.4 Except where this Constitution provides otherwise, decisions at an AGM or SGM will be taken by a simple majority of votes in favour.
- 10.5 The Chair will have a casting vote.

11. FINANCE

- 11.1. The Treasurer will be responsible for the finances of the Band; keep a sufficient and accurate accounting record of all receipts and payments and of all assets and liabilities; prepare accounts for the year to 30th September; have them examined and their correctness ascertained at a date prior to the Annual General Meeting by a suitably qualified person appointed at the previous Annual General Meeting or a prior Special General Meeting; submit the examined accounts to the Annual General Meeting and to OSCR; and produce the books for inspection if requested at each Committee meeting.
- 11.2. All monies, whether by cash or cheque, will be paid into the bank; no withdrawals from the bank will be made unless the withdrawal slip or cheque is signed by any two of the account signatories agreed by the committee. Electronic payments of band funds or transfer between its different accounts will need the electronic equivalent of two signatures by the account signatories.
- 11.3 The Treasurer will ensure prompt payment of all bills.

12. EXPENSES - HONORARIA

Office-bearers' out-of-pocket expenses shall be refunded when these have been incurred in the interest of the Band. Any claim not approved by the Treasurer will be submitted to the Committee for confirmation. No honoraria will be paid.

13. DUTIES OF OFFICERS

- 13.1. The **Pipe Major** will: provide such leadership as is reasonably required to improve the playing standard of the Band; encourage the tuition of learner pipers; promote

harmony within the Band; be in command of the Band at all practices, engagements and competitions but will be permitted to delegate duties to a Pipe Sergeant or other piper nominated by him.

The Pipe Major after such consultation as is reasonable, alone will determine:

- the tunes which will be played
- which piper (if any) will have the rank of Pipe Sergeant
- when a piper is sufficiently proficient to warrant becoming a playing member
- which pipers will be permitted to play at engagements and competitions
- which competitions the Band will enter and play at subject to the purchase being authorised by the Committee, which pipe chanters will be purchased and to which pipers they will be issued
- which reeds will be purchased and when these will be issued and in consultation with the Leading Drummer the number of drummers who will be permitted to play at any engagement or competition

13.2. The **Leading Drummer** will provide such leadership as is reasonably required to improve the playing standard of the Drum Corps and to encourage the tuition of learner drummers.

The Leading Drummer, after such consultation as is reasonable, alone will determine:

- the drum beatings to be played for each tune
- when a drummer is sufficiently proficient to warrant becoming a playing member
- which drummers will be permitted to play at engagements or competitions
- subject to the purchase being authorised by the Committee which drums will be purchased and to which drummers they will be issued and
- which drum skins will be purchased

13.3. The **Secretary** will conduct all correspondence relative to the Band in respect of engagements, committee meetings, Annual General Meetings and any Special General Meetings; prepare minutes of all General Meetings and Committee Meetings; be responsible for filing all returns to OSCR; ensure that there is timeous press intimation of all meetings which require Press advertisement in accordance with this Constitution; arrange for the press to be advised of any activity or success of the Band of interest to the community; instruct press advertisements for learner or playing members when requested to do so by the Committee.

13.4. The **Treasurer** - See Rule 11.

14. OTHER OFFICIALS

14.1. The **Assistant/Competition Secretary** will: assist the Secretary and deputise in his / her absence in the performance of all of his/her duties; ensure that all playing members are correctly registered with The Royal Scottish Pipe Band Association

and keep accurate records of registration; make all necessary arrangements for the Band to take part in competitions which the Pipe Major has determined that the Band should enter.

14.2. The **Quartermaster** will: arrange for the storage of uniforms, equipment and instruments (“Band Property”) not issued for use by playing members; keep an accurate inventory of Band Property in store and, if issued, to which playing member each item is issued; supervise the issue and return of Band Property to and from playing members and record each item acquired, issued or returned.

13.3. The **Social/Fund Raising Convener** will: arrange such social occasions as are reasonably necessary to encourage bonding within the Band membership; ensure that the income of the Band is supplemented by profits from social occasions or other fund raising activities.

15. BAND ETIQUETTE AND DISCIPLINE

15.1. The Committee will publish from time to time supplementary rules relative to behaviour standards, attendance and punctuality at practices, engagements, competitions and other occasions when Band uniform is worn to which members will require to adhere. The Committee will review these from time to time.

15.2. Any member who, in the opinion of the Pipe Major, whom failing the Chair, has been guilty of gross misconduct may be suspended by the Pipe Major, whom failing the Chair, pending the referral of a complaint against the member to the Committee by the Pipe Major, whom failing the Chair. During the period of suspension the suspended member may not participate in any Band activity.

15.3. The Pipe Major, whom failing the Chair, will refer any complaint against a member as set out in Rule 15.2 to the Committee as soon as practicable after the commencement of the period of suspension.

Any playing member may refer a complaint to the Committee relative to any member being allegedly habitually in breach of the Rules published by the Committee in accordance with Rule 15.1 of the Rules of this Constitution, or allegedly guilty of misconduct. The member against whom a complaint has been made will have a right of audience before the Committee and the right to be represented by any person. The Committee will have power to expel the member or take such other disciplinary action against that member as is reasonable in the circumstances, if it decides that the complaint against the member is well founded.

15.4. Any member against whom disciplinary action has been taken by the Committee will have the right to appeal against the decision by submission in writing to the Secretary within fourteen days of the decision. On receipt of such a submission the Secretary will arrange to convene a Special General Meeting to consider the Appeal in accordance with Rule 9. The Appellant will have the same rights of audience and representation as set out in Rule 15.3. The Special General Meeting, by a majority,

may refuse the Appeal or uphold it if it considers it well founded, in which event the Meeting will either impose alternative disciplinary action or absolve the member from any disciplinary action.

16. ALTERATION OF CONSTITUTION

No amendments to the Constitution will be made except at an Annual General Meeting or a Special General Meeting called for the purpose of considering the proposed amendment, and then only on receiving assent of two-thirds of members present and voting.

17. TRUSTEESHIP

- 17.1 All elected post holders / committee members will act as trustees of the Band at all times in line with the latest guidance provided by OSCR and as such, trustees will hold the title to the property, assets and funds of the Band in trust for the behoof of the Band. The Secretary will ensure that all members newly elected to the committee are informed about this guidance.
- 17.2 Should a majority of members attempt to withdraw the Title, the said Title, Properties and Funds shall remain vested in the said Office bearers on behalf of the Perth and District Pipe Band and the power of carrying on the Band shall remain with the minority.
- 17.3 Any motion to disband the Band will be the cause for a Special General Meeting. In the event of complete agreement by all members present and voting, to the Band being disbanded, the Properties will be disposed of and the proceeds, together with any funds, will be devoted to charities as may be named.
- 17.4 The Capital of the Peggie Fund at the inception of this Constitution will vest in the post holders and the Band shall be entitled to receive only the Annual Income from the said Fund. The Capital shall be retained in perpetuity for behoof of the Band.