

BECKINGTON VILLAGE CHOIR

The Rules and Constitution of Beckington Village Choir

1. The name of the Society is Beckington Village Choir.

Object(s) of the Society:

2. The object(s) of the Society are as follows:

To involve the village and people from nearby local areas in Soprano, Alto, Tenor and Bass choral singing as a "Not for Profit" society.

Membership

3. The signatories to these Rules are the first members of the Society.

4. An applicant for membership must submit a signed and dated application form to the Secretary stating:

- i) the applicant's name, address and birthday day and month unless the applicant is under the age of 18 years in which case full date of birth is required.
- ii) that the applicant has been given and has read a copy of these Rules, supports the object(s) of the Society and agrees to be bound by the Rules immediately upon admission to membership;
- iii) the applicant's consent to the holding of relevant data for the purposes of the Data Protection Act 1998.

5. Until an applicant is approved for membership, he or she is not entitled to any of the privileges of the Society.

6. The Musical Director shall decide all applications for membership.

Qualification for membership

7. Any person who meets the following qualifications (the "membership qualifications") may be entitled to apply for membership subject to any further provisions in these Rules:

A love of making music in an atmosphere of relaxed fun

Officers and their Duties

8. The Society has the following Officers, who are elected by the members for one year terms:

Chair - Who chairs all General Meetings and all Executive Committee meetings when present (but see Rule 11).

Secretary - Who is responsible for the keeping of all books and records of the Society, including the Members' Register (containing the name and address of every member and such other contact details as the member supplies) and the taking of minutes of all General Meetings and Executive Committee Meetings.

Treasurer - Who ensures that the financial affairs of the Society are kept in good order and that annual accounts and a financial report are submitted to the Executive Committee for it to place before the members at Annual General Meetings.

BECKINGTON VILLAGE CHOIR

Executive Committee

9. The day-to-day running of the Society is under the control of the Executive Committee which consists of:

The 3 Officers of the Society

No more than 6 other members of the Society, elected for one year

10. A quorum for Executive Committee meetings is 3

11. The members present will elect a chair for that meeting whenever the Chair is not present.

12. Minutes of Executive Committee meetings must be taken and made available to all Society members.

13. The Executive Committee has the following powers and responsibilities:

Supervision and direction of the day to day running of the Society.

Preparation and presentation to the Annual General Meeting of a written annual on the Society and its activities (annexing the annual accounts and the Treasurer's financial report).

Appointment of sub-committees, whose membership must include at least one member of the Executive Committee, to which it may delegate powers and duties on such terms as the Executive Committee thinks fit.

Vacancies on Executive Committee

14. The Executive Committee may appoint a member to fill any casual vacancy on the Executive Committee until the next annual general meeting but members so appointed shall not be entitled to participate in the management of the purchase of alcohol for the Society, or the supply of alcohol by the Society.

15. Any member so appointed must retire at the next annual general meeting but may be elected as a member of the Executive Committee at that meeting.

Financial year, accounts and auditors

16. The Society financial year runs to 31 May. An income and expenditure account must be made for that year and the balance sheet struck at that date.

17. Two members, who are not to be elected or co-opted to the Executive Committee, are elected by the members as Auditors for one year terms and will audit the annual accounts.

Re-election and further terms of office

18. Members are always eligible for re-election for further terms as Officers, Auditors or members of the Executive Committee.

Membership and subscriptions

19. The membership subscription covers each term. The subscription is to be paid at the start of the Autumn and Spring Terms.

20. The level of subscription, including a fee for hiring music, and entrance fee for any event will be determined by a resolution at the Annual General Meeting passed by a majority of those present when the vote is taken.

21. When joining after the commencement of the term, a new member must pay a proportion calculated on the remaining weeks in the term plus the music hire fee.

BECKINGTON VILLAGE CHOIR

Power to appoint members

22. See Rule 6.

Renewal

23. Membership is automatically continued each year unless:

- i) The member resigns on or before the commencement of the new term, in which case the member is under no obligation to pay any part of the subscription for that new year; or
- ii) The member fails to pay the termly subscription when the member is treated as having resigned unless within 30 days of the commencement of the new Term he or she gives the Secretary a written or email request to remain a member

Resignation from membership

24. A member may resign at any time by notice in writing or email to the Secretary. On receiving the notice the Secretary will immediately remove that member from the Members' Register, which terminates membership.

25. The resigning member is not entitled to any return or rebate of subscription and remains liable for any unpaid subscription and any other sums due from him or her to the Society.

Disciplinary offences

26. Any member who is in serious or persistent breach of these Rules or who otherwise acts in a way which in the opinion of the Executive Committee is seriously or persistently inappropriate for a member of this Society may be disciplined as set out in the Disciplinary Regulations in Annex 1.

Effect of resignation, expulsion or death

27. All rights and interests in the Society and its property cease immediately on termination of membership by resignation, expulsion or death.

General Meetings of Members

28. Annual General Meeting: An annual general meeting of all members must be held in May each year (or, failing that, as soon as possible thereafter) with the date being determined at the previous Annual General Meeting. Any amendment to the date must be notified by the Secretary with at least 14 days' notice to the members stating the amended date, time and place of the meeting, and the business to be conducted. The business will include:

- (i) presentation and summary explanation by the Treasurer of (a) the Society's annual accounts for the financial year last ended and (b) a budget for the Society's current financial year for approval of the members (if they so decide);
- (ii) consideration of the Executive Committee's annual report;
- (iii) election of Officers, members of the Executive Committee and Auditors; and
- (iv) such resolutions as are stated in the notice of the meeting.

29. Special General Meeting: At any time the Executive Committee or any 2 members may by a joint written or email notice request the Secretary to call a meeting of members and the Secretary must then call a Special General Meeting on no less than 21 days' notice to all members stating the date, time and place of the meeting, and the business to be conducted.

BECKINGTON VILLAGE CHOIR

30. The quorum for the Annual General Meeting and any Special General Meeting is 50% of voting members.

31. The voting members present elect a chair for any general meeting whenever the Society Chair is not present.

32. Minutes of the General Meetings must be taken and made available to all members.

Notices

33. Any notice required or allowed to be given to any member under these Rules is validly given if: (i) sent by post to that member's address in the Member's Register (in which case it is deemed given to the member 2 days after posting); or (ii) given to him personally; or (iii) sent by email or fax to that member's email address or fax number in the Members' Register.

34. Any notice required or allowed to be given by any member to the Secretary under these Rules is validly given if sent by post, email or fax to the Secretary at the postal address, email or fax number most recently notified to members by the Secretary. It is deemed given when actually received at that address, email or fax number.

Resolutions and voting

35. Resolutions and other decisions at all General Meetings, Executive Committee or any sub-committee meetings are passed and made if so voted by a majority of those members present and voting when the vote is taken.

36. Voting may at the discretion of the Chair be undertaken by show of hands, by ballot or by show of hands followed by ballot.

37. Proxies are allowed upon written or email notice by the member to vote by proxy to the Secretary prior to the meeting stating the name of the member to vote on their behalf in the forthcoming meeting.

Trustees and Society Property

38. There will be 3 Trustees of the Society who are the Treasurer and 2 other members elected in General Meeting.

39. The first Trustees are the Treasurer and 2 other members elected at the first Members' Meeting at which these Rules have been adopted.

40. A General Meeting may remove or appoint Trustees at any time (except that the Treasurer cannot be removed as a Trustee as long as he or she is Treasurer but ceases to be a Trustee on ceasing to be Treasurer when the new Treasurer automatically becomes a Trustee).

41. A Trustee holds office until death, resignation or removal by a General Meeting.

42. All property of the Society including money is to be held and used by the Trustees for the benefit of the Society.

43. The Trustees will hold and use the Society's property in accordance with all lawful directions of the Executive Committee.

BECKINGTON VILLAGE CHOIR

Owner to provide club premises and pay all expenses

44. The Society premises are at:

Beckington Memorial Hall
Bath Road
Beckington
Somerset
BA11 6SW

45. The Owner of these premises is:

Charity no. 304484
38 Conigre Square, Trowbridge, BA14 8LJ

46. The Owner provides the Society with the premises and everything reasonably necessary for carrying on the Society in accordance with its objects and these Rules and is solely responsible for all expenses so incurred and for the engagement and payment of staff and for catering and all other matters involving expenditure of money (except the purchase and supply of alcohol).

Employment and Other Contracts

47. The Society may engage Contract out Services on such terms as the Executive Committee decides.

48. All contracts associated with such services will be approved by the Trustees.

49. Secretary may enter into contracts as agent for the Members provided that no such contract involves property or money beyond the value of £1000.

50. All other contracts between the Society and any other person are made by the Trustees as agents for the members unless the Executive Committee instead authorises any one or more of the Officers or other members of the Executive Committee to enter into a contract as agent for the members.

Indemnities and limitation of liability

51. Full indemnity out of the Society funds is given to:

- i) Trustees against all payments and other liabilities properly incurred by them as Trustees;
- ii) Officers and other members of the Executive Committee against all payments and other liabilities properly incurred by them in the exercise of their duties or powers for the Society.
- iii) Every Trustee, Officer, or other member entering into any contract on behalf of the members against all payments and other liabilities incurred by them in connection with that contract

52. The liability of Trustees, Officers or other members entering into any contract for the Society and the liability of any members on whose behalf the contract is made is limited to the assets of the Society.

53. The limit of each members indemnity given to Trustees, Officers or other members in any calendar year in relation to any contracts entered into by them for the Society is a sum equal to one year's membership subscription.

BECKINGTON VILLAGE CHOIR

Legal Proceedings

54. No Trustees, Officers or members shall be bound to bring or defend any actual or prospective claim or proceedings or incur any actual or prospective liability for legal costs (including to any legal costs that may be payable to another party) unless they are first satisfied that they shall be sufficiently indemnified or otherwise protected against having to pay such costs and any other judgment against them (except as to the extent of one year's membership subscription) in one or more of the following ways: (i) indemnity out of the Society's assets (ii) personal indemnities from some or all of the members (iii) legal expenses insurance.

55. Non-payment of sums due to the Society

56. On a member being given a written notice of demand by the Secretary for payment of any sum already due from that member to the Society, failure to pay that sum in full within 14 days (or such longer period as may be specified in the notice) is a serious breach of the Rules which may be disciplined in accordance with these Rules save to the extent that there will be no appeal from a decision of the Executive Committee unless the Executive Committee decides that there are special circumstances making it fair for the member to be able to appeal to an Appeal Committee.

Borrowing and charges

57. The Executive Committee may borrow money if authorised by a resolution of the members in general meeting and on the terms authorised in that resolution.

58. The Trustees shall make such dispositions of Society property and enter into such agreements as the Executive Committee directs for the giving of security for such borrowing.

59. All members whether or not voting on such resolution, and all members joining the Society after the passing of such resolution are to be taken to have assented to the resolution as if they had voted in favour.

Alcohol

60. The purchase of alcohol for the Society and supply of alcohol by the Society shall be managed by the Executive Committee excluding those members of the Executive Committee who derive their membership of the Executive Committee by co-option or as a result of filling a vacancy.

61. The Executive Committee must not in any way be restricted in their freedom of purchase of alcohol.

62. Alcohol may only be sold on Society premises in accordance with any rules, conditions or restrictions necessary in consequence of the Society premise certificate or other authorisation (or conditions of authorisation) granted or to be granted under the Licensing Act 2003.

63. No person shall receive at any time at the expense of the Society or any member of the Society any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the Society.

64. No person shall directly or indirectly derive any pecuniary benefit from the supply of alcohol by or on behalf of the Society to members or guests, apart from any benefit accruing to the Society as a whole and apart also from any benefit which a person derives indirectly

BECKINGTON VILLAGE CHOIR

by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Society.

Permitted hours for the supply of alcohol

65. The permitted hours for the supply of alcohol are only between those hours permitted for the supply of alcohol by virtue of the club premises certificate or other authorisation granted under the Licensing Act 2003.

Amendment of the Rules

66. These Rules may be amended by a resolution in a General Meeting passed by strictly more than 60% of the members present and voting when the vote is taken.

Dissolution

67. The Society may be dissolved by a resolution passed by strictly more than 60% of the members present when the vote is taken but only if there are at least 50% of all members voting in favour of the resolution.

68. The resolution takes effect immediately unless it expressly states that it is to take effect on a specified date not more than 4 weeks later.

69. As soon as the resolution takes effect the Executive Committee must pay or otherwise settle all debts and other liabilities of the Society and divide the remaining Society property among the members equally. For these purposes the Executive Committee may decide on the sale or other realisation of Society property as it thinks fit.

Headings

70. The headings to these Rules are for ease of reference only and are not to be taken into account in their interpretation.

BECKINGTON VILLAGE CHOIR

Version Control

Version	Date	Comments/Amendments
<u>Version 1.0</u>	<u>12/03/2019</u>	Original
4-(i)	12/03/2019	DOB Not required - only over 18s

Adopted this ~~twelfth~~ ^{twelfth} day of March 2019

Signed (with name and address printed):

Patricia Murdoch

1, Southway Road, Bradford-on-Avon, BA15 1UL

Patricia M. Murdoch..... Chair

Jean Lillywhite

4 Cassways, Orchard, Bratton, BA13 4TY

Jean Lillywhite..... Secretary

Moira Wirtz

Park Farm, Buckland Down, Nr Frome, BA11 2RG

Moira Wirtz..... Treasurer

BECKINGTON VILLAGE CHOIR

Annex 1

Disciplinary Committee

1. Any member who is in serious or persistent breach of the Rules or who otherwise acts in a way which in the opinion of the Executive Committee is seriously or persistently inappropriate for a member of the Society may be required by the Executive Committee to attend for a hearing before it to explain his or her conduct.
2. The Secretary will notify the member in writing or by email at least 14 days before the hearing of:
 - i) the date, time and place of the hearing;
 - ii) the conduct alleged to:
 - o be a serious or persistent breach of the Rules, specifying which rule or rules;
 - or
 - o be seriously or persistently inappropriate for a member of the Society
 - iii) the available penalty or penalties.
3. The member may respond in writing to the Executive Committee and will also in any case be given a fair opportunity at the oral hearing to refute, explain or excuse his conduct and to say why he or she should not be penalised or what penalty is appropriate for any proven allegation.
4. The procedure to be adopted for the oral hearing will be entirely at the discretion of the Executive Committee.
5. The member does not have any right to be represented at the oral hearing (by a lawyer or otherwise) but it will be at the discretion of the Executive Committee as to whether the member is allowed to have such representation.
6. There will be no oral hearing in any matter if either:
 - i) the member waives his or her right to an oral hearing or
 - ii) the Executive Committee resolves, and writes to the member stating, that it is not considering suspension or expulsion and that consequently in the circumstances an oral hearing is not proportionate.
7. If the Executive Committee finds any allegation to be proven on the facts it may:
 - i) impose a fine of not more than £10.00;
 - ii) suspend the member from some or all rights and/or benefits of membership for a period or periods determined by the Executive Committee, with or without conditions;
 - or
 - iii) expel the member with immediate effect.
8. The decision as to whether any allegation is established and the appropriate penalty must be made and notified to the member on the day the hearing is concluded or the following day. The decision must also be made known to the other members by noticeboard or newsletter within a reasonable time following the decision.

BECKINGTON VILLAGE CHOIR

Appeal Committee

9. A member who is expelled or suspended from any rights or benefits of membership for a period of longer than 1 month has the right to appeal against the decision by written notice to the Secretary within 14 days of receiving the decision of the Executive Committee. The notice must state the reasons why the decision should be set aside or varied, either on the finding of proof of any allegation or the penalty or both. There is no right of appeal where any other action has been taken.

10. The Appeal Committee will be constituted of 3 members appointed by the Executive Committee including at least one person who sits on the Executive Committee.

11. The Secretary will notify the member in writing at least 14 days before the oral hearing stating the date, time and place at which the hearing will be conducted by the Appeal Committee. The member will be given a fair opportunity at the oral hearing to explain why the Disciplinary Committee decision should be set aside or varied.

12. The procedure to be adopted for the oral hearing will be entirely at the discretion of the Appeal Committee.

13. The member does not have any right to be represented at the oral hearing (by a lawyer or otherwise) but it will be at the discretion of the Appeal Committee as to whether the member is allowed to have such representation.

14. The Appeal Committee may set aside the decision of the Disciplinary Committee if it is satisfied that the decision was unreasonable or otherwise unfair, or if the proceedings leading to the decision were either unreasonable, unfair or prejudicial to the member. The Appeal Committee must not consider new evidence which was not put before the Disciplinary Committee unless it is satisfied that there are good reasons why that evidence was not put before the Disciplinary Committee and for allowing the new evidence to be considered.

15. If the Appeal Committee does set aside or vary the decision of the Disciplinary Committee it may:

- i) impose a fine of not more than £10.00;
- ii) suspend the member from some or all rights and/or benefits of membership for a period or periods determined by the Executive Committee, with or without conditions;
or
- iii) expel the member with immediate effect.

16. The decision of the Appeal Committee must be made and notified to the member on the day the hearing is concluded or the following day. The decision must also be made known to the other members by noticeboard or newsletter within a reasonable time following the decision.

17. There is no further appeal to a decision of the Appeal Committee.