

Maldon Orchestra Constitution

Adopted at General meeting on 30th June 2004

Updated and adopted at an Extraordinary General Meeting on 15th November 2019



1. Name

The name of the organisation is Maldon Orchestra.

2. Administration

Subject to the matters set out below, the Maldon Orchestra shall be administered and managed in accordance with this Constitution by members of the Management Committee as constituted by clause 6 of this Constitution.

3. Objects

The objects of the Maldon Orchestra are:

- to advance, improve, develop and maintain public education in, and appreciation of, the art and science of music in all its aspects by any means the Management Committee see fit, including through the presentation of public concerts and recitals.

4. Powers

In furtherance of the objects of the organisation, the Management Committee may exercise the following powers:

- To raise funds by the levy of a quarterly subscription and to revise the amount charged as necessary to meet the running costs of the organisation.
- To buy or lease and to maintain any equipment or materials necessary for the achievement of the objectives.
- To sell, lease or dispose of all or any part of the property of the organisation.
- To apply for any grant which may be offered to further the objects of the organisation.
- To publish books, periodicals, leaflets, music and any other materials in printed, recorded or electronic format and to hold intellectual property rights in any such material.
- To organise concerts and any other associated events in pursuance of the objectives.
- To do all such other lawful things as are necessary for the achievement of the objectives of the organisation.

5. Membership

Ordinary membership shall be open to all people aged 16 and above who, in the opinion of the Management Committee, are able to play an appropriate musical instrument. There will be no discrimination on any grounds of age, race, gender, religion or disabilities. A membership record will be kept. A person will cease to be considered a member of the Orchestra if they fail to attend a rehearsal on more than four consecutive occasions without notifying the Management Committee in advance, or if they fall more than one quarter behind with their subscription payments without the approval of the Management Committee. The Management Committee shall have the power to expel a member or visiting player if their behaviour, in the opinion of the Committee, is improper or unbecoming or whose behaviour is likely to bring the Orchestra into disrepute.

6. Management Committee

The Management Committee shall be elected annually at the Annual General Meeting and shall consist of a maximum of 7 members. The Management Committee shall elect three of their members to the positions of Chairman, Secretary and Treasurer at the inaugural Committee meeting. The Management Committee shall have the power to co-opt members to fill any vacancy not filled at the AGM or arising thereafter.

7. Meetings

A General Meeting shall be held annually to elect the members to the Management Committee. The Management Committee shall call the meeting, giving at least 14 days notice to the members of the Orchestra. The date of the meeting shall be not less than four weeks from the end of the financial year, (as constituted in para. 10). Attendance of not less than 55% of the membership (as identified in para. 5) shall be required for a quorum. All members (as identified in para. 5) attending will be entitled to vote.

An Extraordinary General Meeting can be called by the Management Committee, giving at least 14 days notice. The Management committee shall meet as necessary, but not less than three times a year, to administer the objects of the organisation. No less than half of its members shall be present to represent a quorum.

8. Sub Committees

The Management Committee may appoint such sub committees as it thinks fit for supervising or performing any activity or service, defining the terms of reference and the composition and duration of any such committee. All acts and proceedings of each sub committee shall be reported to the Management Committee.

8A. Rules

- i. The Management Committee may from time to time make rules or bye-laws for the conduct of their business.
- ii. The bye-laws may regulate the following matters but are not restricted to them:
 - the admission of members of the Orchestra and the rights and privileges of such members, and the subscriptions and other fees or payments to be made by members;
 - the conduct of members of the Orchestra in relation to one another
 - the procedure at General meetings and meetings of the Management Committee in so far as such procedure is not regulated by this Constitution;
 - generally, all such matters as are commonly the subject matter of the rules of an unincorporated association.
- iii. The Management Committee must adopt such means as they think sufficient to bring the rules and bye-laws to the notice of members of the Orchestra.
- iv. The rules or bye-laws shall be binding on all members of the Orchestra.
- v. No rule or bye-law shall be inconsistent with, or shall affect or repeal anything contained in, this Constitution.

9. Receipt and Expenditure

The funds of the organisation shall be paid into an account operated by the Management Committee in the name of the Maldon Orchestra at such bank or other financial institution as the Management Committee shall from time to time decide. The income and property of the Maldon Orchestra whence so ever derived shall be applied solely towards promoting the objects of the Orchestra as set forth above and no portion thereof shall be paid either directly or indirectly to any member or members of the Maldon Orchestra except in payment of legitimate expenses incurred on behalf of the Orchestra.

10. Accounts

For the purposes of accounting the financial year shall run from 1st April to 31st March.

The treasurer shall present an up to date statement of accounts at each meeting of the Management Committee.

The treasurer shall prepare an annual statement of account which shall be examined by an independent person and presented at the Annual General Meeting. Also cheques shall be signed by two people. The Management Committee shall elect those signatories.

11. Indemnity

No member of the Management Committee shall be liable for any loss to the property of the Maldon Orchestra by reason of any improper investment made in good faith, nor for the negligence or fraud of any agent or member of the Management Committee or Orchestra other than by wilful and individual fraud.

12. Alterations to the Constitution

This Constitution may be altered by a resolution passed by not less than two-thirds majority of members attending a General meeting.

13. Dissolution

If at any time it becomes necessary or advisable to dissolve the Maldon Orchestra, the Management Committee shall call a General meeting of all members of which no less than 21 days notices shall be given to each member. If the proposal is confirmed by no less than a two-thirds majority of those attending, the Management Committee shall have the power to realise any assets held on behalf of the Maldon Orchestra. Any assets remaining after satisfaction of any proper debts and liabilities shall be transferred to such other charities with similar aims and objectives as the Maldon Orchestra or as the General meeting shall determine.