

# NORTH OF IRELAND BANDS' ASSOCIATION

FOUNDED 1907



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Constitution and Rules 2012

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## Constitution and General Rules

- 1.** The title of the Association shall be “The North of Ireland Bands’ Association”.
- 2.** The object of the Association shall be the advancement of the knowledge of music among the members and the Association shall be non-sectarian and non-political.
- 3.** The Association shall promote the knowledge of music by holding band contests and in such other ways as may be arranged from time to time.
- 4.** Only amateur bands shall be admitted as members of the Association.
- 5.** The affairs of the Association will be under the control of the General Council, which will comprise of up to three delegates from each member band; the band from which the chairperson is elected shall be entitled to one additional delegate. Only one delegate from each band represented may vote at meetings of the General Council. Between meetings of the General Council an Executive Committee shall have power to act on any matter.
- 6.** In January each year bands must notify the Secretary of the Association, in writing, of the names of the band’s delegates. Only those delegates whose names have been thus notified will be entitled to take part in meetings of the General Council. Delegates may be changed during the year by notifying the Association Secretary in writing.
- 7.** At General Council meetings each delegate shall sign the attendance register.
- 8.** The General Council shall meet for the transaction of the business of the Association at least four times a year as determined by the Executive Committee. Each member band shall receive at least fourteen days notice of each meeting. Seven bands must be represented to form a quorum.
- 9.** The annual general meeting of the Association as represented by a General Council meeting shall be held each year as directed by the Executive Committee. A statement of accounts will be sent to member bands with the notice covering the annual general meeting. At the annual general meeting a report and the statement of accounts shall be submitted and any necessary business transacted.
- 10.** The financial year of the Association ends on the 31<sup>st</sup> December.
- 11.** The Officers of the Association shall be: President, Vice-Presidents, Chairperson, Vice-Chairperson, General Secretary, Treasurer, Registration Secretary, Contest Secretary and Parks Secretary who shall be elected at the annual general meeting. The aforementioned officers shall be eligible for re-election, but the President and Vice-Presidents shall not (as such) be eligible to serve on the General Council or Executive Committee. When vacancies occur through an office bearer or member of the Executive Committee resigning, the Executive Committee shall have the power to co-opt a member from the General Council.
- 12.** The President or one of the Vice-Presidents may preside over the election of officers at the annual general meeting.
- 13.** The Executive Committee shall be elected at the annual general meeting and shall consist of the Chairperson, Vice-Chairperson, General Secretary, Treasurer, Registration Secretary, Contest Secretary and Parks Secretary and five delegates. Only delegates

having attended 75% (one apology being allowed) of the General Council meetings during the preceding year will be eligible for election to the Executive Committee.

**14.** The Chairperson of the Association shall preside at all business meetings but shall only have a casting vote. In the absence of the Chairperson the Vice-Chairperson shall preside. The method of voting shall be decided by the Chairperson.

**15.** The General Council or Executive Committee may summon a special meeting at any time considered necessary or on receiving a written request from the Secretaries of seven bands. The notice summoning such a meeting shall state the special business for which the meeting has been called.

**16.** Each band shall pay an annual subscription, the amount of which will be determined by the Executive Committee. The annual subscription is due on the 1<sup>st</sup> January and must be paid not later than the 31<sup>st</sup> March each year. A band whose annual subscription has not been paid by 31<sup>st</sup> March shall cease automatically to be in membership of the Association. Bands contesting before 31<sup>st</sup> March must have their annual subscription paid prior to the date of the contest.

**17.** A band desiring to be admitted to the Association may on paying the annual subscription according to Rule 16, be duly proposed at a meeting of the General Council or Executive Committee and must have two-thirds of the bands represented in favour of its admission. On admission each band will be supplied with a copy of the Rules of the Association.

**18.** Bands may be admitted as Associate Members. Representatives of Associate Member bands may attend Council Meetings but will not be entitled to vote.

**19.** Bands changing Secretaries must notify the Secretary of the Association of such changes, giving the full name, address and telephone number of the person elected, as soon as possible after a change has been made.

**20.** Bands failing to answer circulars requiring a reply will receive no further communication and will not be allowed to discuss the matter in question at the Association.

**21.** The Association has no rule with regard to engagements. Each band is to arrange its own terms, except in the case of a movement by the Association for better conditions with any engagements concerning Bands in general when all bands must stand by the decision of the Council. Any band or band member violating any condition made by the Association will be dealt with by the Executive.

**22.** The Council shall have the power to make Byelaws provided they are not contrary to these rules.

**23.** Any member of the Executive whose band is implicated in any matter of dispute in Association affairs, will not be allowed to act on the Executive when these particular matters are under discussion. In the event of an adjournment only the Executive Members present at the first meeting will be allowed to act in the adjournment.

**24.** No band can be admitted into membership of a Regional Branch or the Flute, Brass or Accordion Band League/Association unless such band is affiliated to the North of Ireland Bands' Association.

**25.** Association Rules can only be changed at an annual or special general meeting. When a change is desired, notice of the desired change must be given in the notice summoning the annual or special general meeting.

**26.** Regional Branches of the Association or Leagues may only be established under the principle of Rule 2 and may be disbanded at the discretion of the Executive.

**27.** In any contingency not covered by NIBA Rules the Executive shall have the power to adjudicate and their decision shall be final.

**28.** In the event of the Association ceasing to function, all monies and belongings shall be held in trust for a period of five years by the Officers of the Association. At the end of that period, if the Association is finally wound up, its possessions shall be sold and all proceeds and other monies distributed equally amongst those bands in membership when the Association ceased to function.

## Registration Rules

- 1.** Members of all bands must be registered on official Association Registration Cards.
  - 2.** Each band must pay a Registration Subscription per member per annum. Registration Subscriptions will be as determined by the Executive Committee.
  - 3.** Each member of each band will have a Registration Card containing: (a) their full Christian names and Surname, (b) full address, (c) recent passport style photograph, (d) member's usual signature, (e) name of band, (f) date of registration, (g) been transferred, (h) the names of the band to which the player has been transferred, and (i) the date of registration with the second band.
  - 4.** A band organisation may consist of one or more bands of similar instrumentation. Bands may be brass, melody flute, concert flute, accordion or concert in type. A player may only be registered by one band organisation of each type of instrumentation.
  - 5.** The Registration Secretary will maintain whatever registers and indices are necessary to avoid duplicate registration within the various types of band.
  - 6.** The Registration year will be the calendar year.
  - 7.** Each year, no later than the end of December, bands must return all registration cards to the Registration Secretary for examination, withdrawal and cancellation of cards and renewal of registration. Bands failing to return cards may be fined and all registrations for that band may be cancelled.
  - 8.** A player who is still attending a non-specialised day school may be registered with both his/her school band and with other band organisations in accordance with Registration Rule 4. The Association may require the principal of the school to certify that the player is attending the school and may request the certification to be renewed in September each year. Such a player will hold a "dual" registration card.
- Note:** the term "day school" means an establishment where the standard of education is no higher than University Entrance Examination level.
- 9.** Registration cards can only be cancelled at the end of the registration year.
  - 10.** New photographs must be provided at the request of the Registration Secretary.

## Transfer Rules

- 1.** The Secretary of a band to which a registered member of another band wishes to transfer must obtain an Association transfer form from the Registration Secretary. The cost of transfer forms will be determined by the Executive Committee. Parts 2 and 3 of the transfer form with part 2 fully completed should be passed to the Secretary of the band from which the member wishes to transfer. Part 1 of the transfer form must be lodged with the Registration Secretary at the same time.
- 2.** When the Secretary of a band receives parts 2 and 3 of a transfer form a band wishing to have a member transferred to it, he/she will complete part 3 of the transfer form and pass it with transferee's registration card to the Registration Secretary. If a band does not agree to the transfer, the Secretary of the band must notify the member and the band requiring the transfer in writing, of the reasons for withholding the transfer within 10 days of the date of

the transfer request. A copy of this correspondence must be sent to the Registration Secretary at the same time.

**3.** The date of transfer will be the date the Registration Secretary receives part 1 of the transfer form. In the event of part 1 of the transfer form not being received by the Registration Secretary confirmation of the player's consent to the transfer will be required before the transfer can process and it will be dated from the date parts 2 and 3 are received.

**4.** A band will have the right to refuse a transfer to any member who has damaged or failed to return band property or is in arrears of dues, which he/she is entitled to pay, or owes any debt within reason. If and when the transfer is accepted, it will be dated in accordance with Transfer Rule 3.

**5.** If a band withholds a transfer and the member considers it unjustified he/she may appeal to the Association provided the band requesting the transfer sanctions the appeal. A letter stating the reason for the appeal and £20 must be sent to the Secretary of the Association. The Executive Committee will request that representatives of the band requesting the transfer, the band withholding the transfer and the member attend a meeting of the Executive Committee will have the power to grant the transfer of the member if the appeal is upheld in which case the £20 will be returned to the band that requested the transfer and the band that withheld will pay £20 to the Association.

**6.** If the Registration Secretary does not receive parts 2 and 3 of the transfer form and the registration card or a letter stating the reason for withholding the transfer within three weeks of received part 1 he/she will automatically process the transfer. Bands who do not action transfer requests within three weeks may be fined at the discretion of the Executive.

**7.** A registered member can normally only transfer once in any twelve-month period and a member's registration card cannot be cancelled within twelve months of a transfer. This rule will not apply in the case of bands amalgamating.

**8.** Registration cards and transfer forms may be inspected by arrangement with the Registration Secretary and on payment of a fee as specified by the Executive Committee.

## Contest Rules

**1.** Contests shall be open to all Amateur Accordion, Brass, Concert, Concert Flute and Melody Flute Bands.

**2.** There is no maximum limit on the number of players allowed in any band playing in a contest held under NIBA rules. In the Melody Flute section there must be at least 10 flautists and a piccolo is not allowed. In the Melody Accordion section there must be at least 10 accordionists.

**3.** Each player must be a registered member of the band organisation for which he/she competes at least four weeks prior to the opening date of the contest. A player may play for only one band of any band organisation in any contest except when holding dual registration or playing as a deputy in accordance with Contest Rule 25.

**4.** Professional musicians and all regular bandsmen of Armed Forces and Police Forces are ineligible to play in any contest held under NIBA Rules except were the player has been a registered member of the Association prior to becoming a professional or joining any of the above Forces. A professional is one who earns his/her livelihood mainly by playing music, but the Executive shall have the power to decide the status of players.

**5.** In NIBA Championship of Ireland Contests, bands competing in accordion sections will be allowed to use acoustic and/or electronic accordions with associated amplification, percussion instruments and a maximum of three additional non-accordion instruments.

- 6.** The Executive or any sub-committee appointed by them shall have the power to appoint adjudicators and arrange for the selection of test pieces, but where difficulty arises in obtaining suitable test pieces for any section the Executive will on request permit those concerned to make their own arrangements. They will decide the amount of entrance fee to be paid for each contest and make any other arrangements.
- 7.** The Executive shall have the power to refuse entry to any contest promoted by the Association. Any band, band member, coach or conductor guilty of a breach of any Contest Rule, or of unruly conduct to adjudicators or officials of the Association will be penalised at the discretion of the Executive.
- 8.** In the event of only one entry being received for any section of a contest the organisation shall have the power to return the entry fee. Bands failing to compete after having entered a contest will forfeit their entry fee.
- 9.** Bands having won a particular section three years in succession will not be permitted to play in the same or a lower section in the following year in that contest. However, this rule will not apply to Championship and Melody Sections or to Melody Plus Flute, Grade 5/Unaffiliated Brass and all School Sections. Bands not in the prize list can, if they so desire, drop down to the next lower section without requesting the permission of the Executive Committee.
- 10.** A band will not be allowed to compete in any contest held under Association rules if it is in debt to the Association, Brass Band League, Flute Band League Association of Northern Ireland, Accordion Band League or Regional Branch for any cause whatsoever.
- 11.** Band members will only be admitted to contest venues upon production of an admission ticket or payment of the requisite admission fee. Admission tickets will be issued to bands in accordance with the number of players listed on their entry form. All unused tickets must be returned and bands using more tickets than performers must pay for tickets not returned.
- 12.** In all contests each player will present his/her registration card to the scrutineers for checking and sign his/her name before given permission to compete.
- 13.** Each band shall play the test piece prescribed for its section. Specially arranged test pieces will only be issued upon payment of the cost of the music etc. All bands competing in sections in which a specially arranged test piece is prescribed must purchase the music from the NIBA, League, Association or Branch.
- 14.** A player may perform on more than one instrument as required by his/her band.
- 15.** In the Championship Contest a draw for the order of playing will be made at least two weeks prior to the advertised contest date to enable member bands to organize necessary travel arrangements and pre-contest rehearsals in advance. The timing of a draw for playing order in all other contests will be at the discretion of the organisers. A band may request to play first in any section. If more than one band requests to play first a draw will take place to determine which band plays first. Bands that are unsuccessful will be put into the main draw.
- 16.** Each band must be ready when called upon to present registration cards to the scrutineers. Exception will be made in the case of a band drawn to play first in any section. Such a band will be allowed a maximum of ten minutes after the indicated starting time of the section when the band drawn second will be disqualified in these circumstances.
- 17.** Bands may tune up on stage prior to commencing the performance of their test piece. Total setting up and tuning time allowed is 10 minutes. Timing will commence when the first person steps on to the stage. Bands exceeding this time may be penalised at the discretion of the Executive Committee or contest organisers.
- 18.** The method of adjudication will be at the discretion of the organisers and the adjudicator's decision will be final.

- 19.** Bands may not claim titles after being disqualified.
- 20.** When medals or certificates are awarded these will only be given to the actual number of competitors plus the conductor in each band gaining first prize.
- 21.** Awards shall be handed over to bands at a time to be determined by the Executive Committee, and trophies shall then be held by the winning bands until fourteen days prior to the following contest, or in the event of no similar contest in any year, they must be returned after the expiration of eleven months from the date of bands winning same. Failure to observe this rule will result in a fine as determined by the Executive Committee.
- 22.** Bands contravening contest rules will be penalised by the Executive Committee.
- 23.** Bands wishing to protest because of an alleged breach of contest rules must notify the NIBA Secretary by registered letter accompanied by a deposit of £20.00 of the reason for their protest within fourteen days (including Sundays) of the date of the alleged breach of rules. At the same time an exact copy of the complaint shall be sent by registered letter to the Secretary of the band against which the complaint is lodged. The deposit of £20.00 will be refunded if the charge is sustained, and the losing party will be charged a fee of £20.00. Bands dissatisfied with the decision of the Executive Committee may, by paying a further fee of £20.00 appeal to an Appeals Committee composed of five members from the General Council to be appointed as soon as possible after the appeal has been received.
- 24.** Any member of the Executive Committee whose band is implicated in a matter of a protest, will not be allowed to act on the Executive Committee when the case is under discussion. In the event of an adjourned protest only the members of the Executive Committee present at the first meeting will be allowed to act in the adjournment.
- 25.** If a player as a result of personal illness or accident, or the death or illness of or accident to an immediate relative or dependent, is unable to take part in a contest and the officials of the competing band so affected desire a deputy, application to use a deputy may be made to the contest organisers provided that a doctor's certificate is presented with the application. Self-completed certificates will not be accepted.
- 26.** Bands, Branches and Leagues/Associations wishing to hold Open Contests under NIBA Rules including Solo, Quartet or small Ensemble Contests must be responsible for any expenses that may be incurred through protests etc. that the Association may be called upon to deal with. Any outside organisation receiving permission to hold contests under any part or all of NIBA rules must pay a contest fee of £10.00 to the Association and must be responsible for any other expenses that may be incurred through protest etc.
- 27.** Solo, Quartet and small Ensemble contests may be organised by Leagues/Associations or Branches of the NIBA. The organisers shall ask the NIBA for scrutineers to check competitors' registration cards.
- 28.** Bands will be allowed to play a maximum of two guest players at a contest but a player may only guest with one band in any contest. Guest players must be registered members of the NIBA or another association that is recognised by the NIBA for this purpose. Guest players may be requested from a band of any type in the same or lower grade as the band intending to use the guest players on the day of the contest. Bands playing in Grade 4 or 5 may also request guest players from bands one grade higher than that in which they are competing. For the purposes of this rule Melody Accordion, Melody Flute, and Melody Plus Flute Bands will be regarded as Grade 4. The grade of a band from which guest players are requested will be regarded as that in which it last competed in a contest held under NIBA rules. Guest players may not be requested from a band that has never competed in a contest held under NIBA rules. Professionals may not be used as guest players.
- 29.** Bands that are not either affiliated to the Association, or affiliated to another formally constituted similar association that operates a similar formal member registration system, will only be permitted to enter the NIBA Championship of Ireland Contest a maximum of two times in any five year rolling period.

**NOTE:** In "entertainment" or "own choice" contests the organisers may decide to omit Contest Rules 2 and 12.