

**This document is intended as a guide for those wishing to start a choir or to introduce a constitution to an existing choral society. CNC suggests that all member choirs adopt a constitution in order to operate in a fair and orderly manner, which in turn will enable the choir to organise its members to sing to the best of their ability and fulfil the aims and objectives of a choral society.**

**It is recommended legal advice be sought before adopting a constitution. CNC cannot be held legally responsible for any errors in this document.**

April 2008

## **CNC Draft Constitution**

### For Choral Societies

1. **Name:** The choir shall be known as ... Singers/Choral Society.
2. **Aims & Objectives:**
  - a. To promote & encourage choral singing for the membership of the society.
  - b. To contribute to the musical, artistic and physical life of ... community and district.
  - c. To offer public performances and recitals of choral music and any other collaborative works which the Musical Director, in consultation with the members, may decide upon.

## **RULES OF THE SOCIETY**

3. **Membership:**
  - a. Membership is open to men & women (or whichever voice is chosen) who are interested in singing for a full season, and who will abide by the rules of the society.
  - b. Applicants must fill out an application form, available from the Secretary.
  - c. Have their application sanctioned by the Committee.
  - d. Be auditioned by the Musical Director, whose decision on their suitability is final and binding.
  - e. Pay their annual subscription within ... weeks from the first rehearsal in September. (choose the interval at which subs have to be paid)
  - f. It is the policy of the Musical Director that all members be re-auditioned every ... years. (choose the number of years)
  - g. The Musical Director, together with the Committee, shall have the power to declare the maximum number in each voice line; if that voice line reaches its capacity, its membership shall be closed and a waiting list shall be opened.

h. The waiting list shall be reviewed at set intervals. (choose the number of months)

Any vacancies arising during the year shall be filled from the waiting list first, after an audition.

i. Any member whose attendance or behaviour is considered to bring the choir into disrepute, may be requested to resign by the Committee and Musical Director, in tandem.

#### **4. Attendance at Rehearsals:**

a. Membership of the society is dependent on the singers participating in full rehearsals on a weekly basis for the choral year (September to May/June )

b. The Musical Director has the power to suspend a singer from participation in any concert/competition, if they have missed ... rehearsals before a concert/competition. (choose the number of rehearsals)

c. If a member is unable to attend a particular rehearsal, they must notify the Musical Director or/and their voice line representative, before the rehearsal.

d. Rehearsals will take place from 7.30pm – 10.00pm every Tuesday in the ...Hall. (Change as appropriate)

e. The Musical Director may request extra rehearsals before a special event, within reason, and in consultation with the choir members.

f. Punctuality. Members must arrive punctually for rehearsals as the “warm up” work is very important to the overall sound of the choir.

g. If a member has to opt out of the choir for a season, the Musical Director and Committee shall be informed in writing, at the beginning of the choral year.

h. Attendance at (75%)?... of rehearsals in each term is required to fulfil the terms of membership. 100% attendance is required for ( ? ) weeks before a public performance or competition. Failure to comply will mean that the singer will not be permitted to sing with the choir at the event.

i. Any member who, without giving due notice to the Committee, fails to fulfill the terms of membership will, after due warning in writing from the Committee, be deemed to have resigned from the society.

#### **5. Care of Music:**

Musical scores are usually on loan to singers (unless they buy their own). Where these scores are the property of the Society, they will be saved as part of the repertoire of the choir for future use, thus creating a choral library.

Whether the scores are owned by, or hired by, the Society, due care must be taken not to damage the music.

If a score is lost or stolen it is the responsibility of that singer to replace it at once. (Therefore all scores should be numbered and allocated to singers with a record of these numbers kept by the Librarian)

It is illegal to use photocopied scores, unless copyright permission has been granted to copy them from the publishers.

#### **6. Choir Uniform:**

For women .....(choose the choir's own)

For men .....(choose the choir's own)

This uniform must be worn at all public performances, unless otherwise agreed

by the committee.

## 7. Administration:

The organisation of the affairs of the society shall be vested in a Committee, to be elected at each AGM of the Society, by secret ballot, or show of hands (decide which is best). The date of the AGM to be circulated 3 weeks beforehand, to be held not later than 31 December of each year. (Choose the best month for you)

### Structure of the Committee

#### Officers:

Chairperson, Secretary, Treasurer, Public Relations Officer, Choir Manager (if necessary), Librarian, Attendance Officer and one representative from each voice line (eg. four people in an average sized SATB choir of up to 40/50 singers, more reps will be needed in a bigger choir, fewer in a chamber choir, but the same numbers to be appointed in equal voice choirs, depending on their size.)

Decide on the total number of committee members, eg. 6/8/10. (Do not make the Committee too big)

- a. Nominations for officers and committee members should be duly proposed and seconded in writing and forwarded to the Secretary following receipt of the notice of the AGM. They may also be presented at the time of the AGM. Nominees may not be elected *in absentia*. If necessary, a ballot will be taken.  
The Chairperson has the casting vote at all meetings.
- b. Vacancies on the Committee shall arise when the Secretary has received written notification of resignation from a serving member.
- c. A General Meeting shall be held within 4 weeks of any vacancies arising, for the purpose of electing new members. Notice of this meeting must be served on all paid up members 14 days in advance of the date of the meeting. Nominations, duly proposed and seconded, may be forwarded to the Secretary, the meeting to proceed as at the AGM.
- d. The Musical Director shall be an *ex-officio* member of the Committee and duly notified of all Committee meetings.
- e. The annual members subscription shall be decided at the AGM and shall be operational until the next AGM.
- f. Only members fully paid up before the AGM are entitled to vote at the AGM.
- g. The Committee shall meet at least 4 times a year, or more often at their own discretion. They shall not sit without a quorum which shall consist of the Chairperson, Hon. Secretary, Musical Director and 2/3 other committee members. (Choose the number most appropriate)
- h. The proceedings of each AGM, General Meeting and Committee meetings are to be written into a Minutes Book by the Secretary or a nominated committee member. Such minutes, signed and dated by the Chairperson, shall in the absence of proof of error, be accepted as evidence of the facts therein stated.
- i. The Committee may, at any time, appoint a sub-committee to help in some aspects of the affairs of the Society. They may appoint members other than Committee members to sit on such sub-committees, but all sub-committees are responsible to the Committee.
- k. Any society member who obtains the signature of one quarter (25%) of the members of the society, shall have the right to direct the Secretary of the Committee to call an Extraordinary General Meeting (EGM). Such members

shall be obliged to submit in writing to the Committee their reasons for calling such a meeting, and no other business shall be considered by such an EGM.

The EGM shall be called within 4 weeks of receipt of the written request and submission of the members' signatures.

- I. No Officer or Committee Member shall hold office for longer than 3 (change if needed) consecutive years. Such an elected member may offer themselves for re-election after a period of 3 years has elapsed.

Alterations to the Rules of the Society may be made at any time by a General Meeting at which 66% (2/3) of the members are present. (change the percentage if necessary)

Notification of any such alteration must be given in writing to the Hon. Secretary at least 4 weeks before the General Meeting.

The alteration shall be circulated in writing to all members, together with the notice convening the General Meeting, 2 weeks before the date of the meeting.

A ballot shall be taken on the motion in the normal way.

### ***Musical Director***

The position of Musical Director shall be selected at a Committee meeting, usually the first meeting after the AGM.

The fees paid to the Musical Director shall be negotiated between the Musical Director and Officers of the Committee, at the first Committee meeting after the AGM, and are payable from the date of his/her appointment, at whatever intervals that are arranged to their mutual satisfaction.

The Committee shall have the power to terminate the appointment of the Musical Director, only after a vote by the entire Committee, where a majority finds in favour of the termination.

All fees and expenses, already agreed upon by the Committee, owing to the Musical Director in any choral year, must be paid in full before every AGM.

The Musical Director has the right to resign his/her position with the Society, giving ...weeks notice in writing to the Chairperson. (choose an appropriate length of time)

Where a Musical Director is not paid (for whatever reason) there is no contract between him/her and the Society, a formal agreement of terms shall be drawn up in writing, protecting the rights of both parties. (If this is the case, ask CNC for more help)

### ***Accompanist***

An accompanist (if necessary) shall be appointed by the Committee in consultation with the Musical Director.

The accompanist's fees and expenses shall be negotiated with the Committee at the first Committee Meeting after the AGM.

All fees and expenses, already agreed upon by the Committee, owing to the accompanist in any choral year, must be paid in full before every AGM.

## **Finance**

The sources of income open to the Society shall be:

1. Annual Membership Subscriptions at a rate to be fixed at the AGM. Members' subscriptions shall fall due from the date of the first rehearsal in September, and must be paid within 4 weeks of that date.
2. Private donations.
3. Revenue from public concerts
4. Grants or sponsorship that may be recommended by the Committee
5. Prize money from choral competitions.

Dependent on how the Society is founded, the assets of the Society shall be held by the Committee in the name of the Society. In the event of the closure of the Society, the assets shall be realised, and after the debts have been paid, the balance shall be shared equally among the members.

In the event of the dissolution of the Society, where the debts outweigh the assets, each member shall be responsible for an equal amount of the debts. (This to be agreed at the foundation of the society/ adoption of the constitution.)

## **Legal Structures**

The following notes are taken from *Managing Volunteers: A Good Practice Guide*, Comhairle website.

if your organisation enters into contracts/relationships with outside people or agencies (eg. employs staff, conductors and accompanists, or leases property) the Society can opt for either the status of a *Company Limited by Guarantee* or an *Industrial and Provident Society*, as follows:

### **Company Limited by Guarantee**

- Memorandum of Agreement and Articles of Association must be drawn up and lodged in the Companies Office.
- Records of minutes and membership must be kept for inspection by the Companies Office.
- Every member has an equal voting power.
- There is no limit on the number of members.
- Board of Directors is elected by the members annually.
- Liability of members is restricted to €1.00.
- Annual accounts must be submitted to the Companies Office.
- Changes in Company law could affect your organisation so it is advisable to check with a legal advisor occasionally.

### **An Industrial and Provident Society**

- This has a separate legal identity from its members. It can own property in its own name and act as an employer.
- The minimum number of members is seven (7) with no maximum number.



### **The Musical Director**

The Musical Director shall audition members and prospective members of the Society, if he/she decides this is useful.

The Musical Director shall propose a plan of events and/or competitions for the year(s) ahead, taking into consideration the progress of the choir, numbers singing and the wishes of the majority of the society's members. S/he shall advise the Committee and the Society on the suitability of selected pieces to be rehearsed and performed.

The Musical Director shall have complete authority at rehearsals and performances in all matters relating to musical standards and levels of proficiency.

If the size of the choir warrants, the Musical Director shall ask for Line Representatives to be elected from the ranks of the singers, annually. These people help the MD with line rehearsals and liase with the Singers and the MD in relation to attendance and other musical matters.

The Accompanist (if there is one) shall liase closely with the Musical Director.

### **The Librarian**

The Librarian shall conserve and keep a record of all the music owned by the Society. S/he shall order or hire music as required by the Musical Director.

It is the job of the Librarian to issue and recover music from the members and keep records of these transactions.

The musical scores are a valuable asset of the Society and as such shall be kept in a suitable and secure location, as decided by the Committee.

### ***Honorary Life Membership***

It shall be the prerogative of the Committee to nominate, as an Honorary Life Member, any person who has rendered exceptional services to the Society, or to Music or the Arts in that locality, and whose distinguished position would be considered an honour to the Society.

Such a nomination shall be proposed and ratified at the AGM.