

BRASS BAND ASSOCIATION OF NEW ZEALAND (INC)



R U L E S

Updated NOVEMBER 2022

BRASS BAND ASSOCIATION RULES
INDEX

		Page No
1	Interpretation	3
2	Name	3
3	Objects	3
4	Registered Office	3
5	Membership	4
6	Termination of Membership	5
7	Register of Bandspersons	5
8	District Associations	6
9	Subscription and Levies	7
10	The Management Committee and its Powers and Duties	8
11	Election of Management Committee	8
12	Vacancy on the Management Committee	11
13	Annual General Meetings	11
14	Special General Meetings	12
15	Proceedings at General Meetings	13
16	Proceedings of the Management Committee	15
17	Sections	17
18	Discipline	18
19	Procedure	19
20	Appeals	19
21	Readmission	20
22	Regulations	20
23	Executive Officer	21
24	Annual Accounts	21
25	Common Seal	21
26	Contests	21
27	Notices	22
28	Amendment of Rules and Regulations	22
29	Dissolution	22

1 INTERPRETATION

In these Rules and the regulations made under them:

“Bandperson” means a registered playing member of a band.

“Contest” means a competition of any kind.

2 NAME

2.1 The name of the Association is
“**BRASS BAND ASSOCIATION OF NEW ZEALAND INCORPORATED**”.

3 OBJECTS

3.1 The objects of the Association shall be:

- (a) To maintain and develop a movement that seeks to:
 - (i) Unite its members through performance of music and fellowship.
 - (ii) Improve the quality of public performances by its members.
 - (iii) Encourage greater public acceptance of music performed by its members.
- (b) To establish and/or promote:
 - (i) The coaching and training of bands, conductors and bandpersons.
 - (ii) Band contests and solo and party competitions.
 - (iii) Appropriate publications and periodical journals.
 - (iv) Bands to represent New Zealand in New Zealand and overseas.

4 REGISTERED OFFICE

4.1 The registered office of the Association shall be where the Management Committee from time to time decides.

5 MEMBERSHIP

5.1 The following may be members:

- (a) Any band which:
 - (i) Has more than ten or more brass or percussion players; and
 - (ii) Is a member of a District Association; and
 - (iii) Makes application in the form prescribed by the Management Committee; and
 - (iv) Agrees to conform to these Rules; and
 - (v) Pays the subscription and levies prescribed at the time; and
 - (vi) Is approved by the Management Committee.
- (b) Life Members, being persons who:
 - (i) Have given long and distinguished service to the Association; and
 - (ii) Are nominated by at least three fourths of the Management Committee to a General Meeting; and
 - (iii) Are elected by at least three fourths of the persons present and entitled to vote at that General Meeting.

5.2

- (a) Any person who is not a member of a registered band, but who can demonstrate an interest in the Association's objects, may be an associate member.
- (b) An associate member shall have access to the Associations resources and will receive an electronic edition of *The Mouthpiece*.
 - i. An associate member shall be informed of the Association's activities.
 - ii. An associate member shall be eligible to enter BBANZ solo competitions subject to the same qualifying rules as other competitors
 - iii. An associate member shall be eligible to attend the AGM as an observer but would not have voting rights
 - iv. An associate member shall pay an annual subscription.

5.3 The Association shall keep a register of all members.

6 TERMINATION OF MEMBERSHIP

- 6.1 A band may resign by giving written notice to the Management Committee.
- 6.2 The Management Committee may expel a band for:
- (a) Not paying subscriptions or levies within three months of the date for payment;
or
 - (b) Not complying with a penalty imposed pursuant to Rule 18.
- 6.3 Any band resigning or expelled shall remain liable to the Association for all unpaid subscriptions and levies.
- 6.4 A band expelled may apply again to be a member.

7 REGISTER OF BANDSPERSONS

- 7.1 The Management Committee shall keep a register of all playing members of each member band. This list will be used to determine the Member subscription fee, pursuant to the Subscriptions and Levies rule 9.
- 7.2 Every band shall forward a list of its playing members to the Management Committee by the 1st of April unless the Management Committee in its discretion resolves otherwise. An updated list of playing members shall be forwarded by bands competing in any events at the National Contest, to the Contest Manager sixty days before the start of the Annual Contest. The list provided by the 1st of April each year shall be used to calculate individual bands membership pursuant to rule 9.
- 7.3 Unless the Management Committee resolves otherwise, all playing members of a band shall:
- a. be ordinarily resident in New Zealand or is a New Zealand Citizen; or
Have and produce a valid work permit or valid students visa; or
Have, not less than sixty days prior to the start of the Annual Contest made a bona fide application to the New Zealand Government for permanent residency status; and
 - b. Not be on the list of playing members of any other band; and
 - c. Have resigned from any other band of which that person has been playing, in accordance with that other bands rules; and
 - d. Not have resigned from the band within the last six months to be a playing member of another band; and

- e. Not be prohibited from being a playing member of a band pursuant to these rules; and
- f. Not be a playing member of a band that has been expelled.

7.4 The List shall:

- (a) Be in the form prescribed by the Management Committee; and
- (b) Be certified correct by the Band's President and Secretary.

7.5 A band may add to its list of playing members by forwarding to the Management Committee an individual registration form as supplied by the Management Committee, listing the details of the player to be registered, their signature, the signature of the officials of the band and a letter of clearance from the band the player was previously registered with, if registered within the last two years.

This list is to be received by the Contest Manager no later than 7 days before the start of the National Contest.

8 DISTRICT ASSOCIATIONS

8.1 The Association shall have the following District Associations:

- (a) Auckland
- (b) Waikato/Bay of Plenty
- (c) Central Districts
- (d) Wellington
- (e) Canterbury
- (f) West Coast/Nelson/Marlborough
- (g) Otago/Southland

8.2 Each District Association shall govern and organize its affairs and elect or appoint officers and committees of its members in such manner as its members shall determine.

8.3 In March each year every District Association shall forward a list of its members to the Management Committee.

8.4 Unless the Management Committee otherwise resolves, all bands shall be members of the appropriate District Association. Any dispute as to which District Association is appropriate shall be determined by the Management Committee.

9 SUBSCRIPTIONS AND LEVIES

- 9.1 (a) Annual subscriptions, which may differ from band to band, shall be fixed by the Annual General Meeting.
- (b) The annual subscriptions shall be for the financial year following the financial year in which they are determined.
- (c) The annual subscription shall be in the form of a Base Fee per band, determined by grading, and a common per-member fee per band.
- (d) An example of the fee structure is shown below;

A Grade Band - Base Fee	\$1000	Per-Member Fee	\$12.00
B Grade Band - Base Fee	\$850	Per-Member Fee	\$12.00
C Grade Band - Base Fee	\$700	Per-Member Fee	\$12.00
D Grade Band - Base Fee	\$350	Per-Member Fee	\$8.00
All Players under 12	n/a	No Fee	\$0.00

- 9.2 If a band becomes a member after the start of a financial year the Management Committee may reduce the annual subscription payable by such band for that year.
- 9.3 If the resources of the Association are insufficient to carry out the objects of the Association, the Management Committee may levy each band up to \$100 per annum which shall be payable within one calendar month of the date of the levy.
- 9.4 If any money owing to the Association by any band is not paid on the date for payment, that band, and any playing member of that band, shall, until such monies are paid, not be entitled to:
- (a) Enjoy any of the rights, privileges and benefits of membership of the Association;
 - or
 - (b) Participate in any Contest; or
 - (c) Attend or vote at any meeting of the Association.
- 9.5 If any money owing to the Association by any bandperson is not paid on the date of payment, that individual shall, until such monies are paid, not be entitled to:
- (a) Enjoy any of the rights, privileges and benefits to which that bandperson would otherwise be entitled; or
 - (b) Participate in any Contest.
 - (c)

10 THE MANAGEMENT COMMITTEE AND ITS POWERS AND DUTIES

- 10.1 The business and affairs of the Association shall be managed or supervised by the Management Committee.
- 10.2 The Management Committee has, and may exercise all the powers necessary for managing and supervising the business and affairs of the Association, except to the extent that those powers are restricted by these Rules.
- 10.3 Without limiting the general power in Rule 10.2 the Management Committee may:
- (a) Invest and deal with any monies of the Association upon such security and in such manner as it thinks fit.
 - (b) Borrow or raise money, and pay interest on it, and give security for the repayment of it over the whole or any part of the property of the Association.
 - (c) Make grants or loans to bands for the purpose of acquiring or improving band premises, the purchase of instruments, or the purchase of uniforms.
 - (d) Organise contests.
 - (e) Produce and distribute journals and other publications.
 - (f) Establish and maintain music libraries.
 - (g) Organise schools of instruction.
 - (h) Form and tour bands representing New Zealand in New Zealand and overseas.
- 10.4 Any two of the President, the Executive Officer, or the Vice President may exercise the powers of the Management Committee where it is impracticable to obtain a decision of the Committee and an urgent decision is necessary.
- 10.5 The Management Committee and the Executive Officer shall be reimbursed by the Association for expenses incurred by them in the discharge of their duties.

11 ELECTION OF MANAGEMENT COMMITTEE

- 11.1 The Management Committee shall consist of:
- a. A President;
 - b. A Vice President;
 - c. Four Persons.

- 11.2 All positions on the National Management Committee are a two year tenure, but members may be re-elected for subsequent terms of two years.
The President and two committee members' tenure expire on even number years; the Vice-President and the remaining two committee member's tenure expire on odd numbered years.
If a member retires within the two year cycle, the replacement member will complete the existing term of the member being replaced.
- 11.3 A retiring member shall be eligible for re-election.
- 11.4 Each Annual General Meeting shall elect sufficient persons to fill the vacancies on the Management Committee created by the retirements pursuant to Rule 11.2.
- 11.5 Members of the Management Committee shall take office immediately following the close of the meeting at which they are declared elected and shall stay in office until the close of the Annual General Meeting at which they retire pursuant to clause 11.2.
- 11.6 The Management Committee shall be elected from persons who:
- (a) Consent in writing; and
 - (b) Are nominated in writing by a band; and
 - (c) Have their nomination in the hands of the Executive Officer not less than sixty (or forty with the consent of the Management Committee) days before the relevant Annual General Meeting.
- 11.7 Not less than thirty days before the relevant Annual General Meeting the Executive Officer shall notify each band and each District Association of all nominations. Such notice:
- (a) Shall include the names of the candidates and their nominees; and
 - (b) May be accompanied by a short memorandum about each candidate.
- 11.8 If the number of candidates nominated equals the number of vacancies for any office, then the candidate or candidates for such office shall be duly elected.
- 11.9 If the number of candidates nominated exceeds the number of vacancies for any office, an election for such office shall be made by postal ballot as follows:
- (a) The Executive Officer shall arrange for voting papers to be prepared showing in alphabetical order those persons who have been nominated for office.
 - (b) The voting paper shall be in the form following or in such other form as the Management Committee may approve.

New Zealand Brass Band Association Incorporated

(Ballot paper for election of officer(s).

Initials of Executive Manager:

Serial No:

Name:

Address:

Instructions and Information for Voters

Strike out the names of those for whom you do not wish to vote.

The number of members required is:

Your voting paper will be informal if more than the required number of names are left, or if you deface it by writing on it.

You may vote for less than the required number.

To be valid, this voting paper must be deposited at the registered office of the Association not less than forty-eight hours before the time appointed for the holding of the Annual General Meeting of the Association

Namely by am/pm on the day of

- (c) Not less than twenty-eight days before the Annual General Meeting of the Association the necessary voting papers shall be posted to every band, Life Member, District Association and member of the Management Committee entitled to vote, at the current address of that body or person held by the management committee. Provided that the Executive Officer shall ensure that such voting papers are posted to such addresses within the prescribed time, no objection shall be made by any person or body that they were not received. The declaration of the Executive Officer that such voting papers were posted shall be accepted as conclusive evidence that they were posted.
- (d) The Executive Officer shall initial each voting paper for identification purposes. Each voting paper shall have printed on it a serial number and the Executive Officer shall keep a record of the serial number of each voting paper posted.
- (e) Any person or body who loses or destroys the voting paper shall be entitled to apply to the Executive Officer for and to receive another voting paper in replacement of that lost or destroyed. The voting paper issued in replacement of that lost or destroyed shall be endorsed at the top so as to show that it is a replacement voting paper and shall show the serial number of the voting paper which is replaced. Neither the original voting paper nor the replacement voting paper shall be deemed to be valid if both voting papers are deposited at the registered office of the Association for the purpose of voting.
- (f) Voting shall be done by crossing out the name or names for whom the voter does not wish to vote. The vote of any person or body who votes for more than the number of officers required, or who defaces the voting paper, or whose voting paper is deposited at the registered office of the Association less than forty-eight hours before the time appointed for holding the Annual General Meeting of the

Association, shall not be counted.

- (g) The Executive Officer shall count the votes and report to the Chairperson the result of voting. The candidate or candidates receiving the highest number of votes shall be declared elected.
- (h) Any member who, at the posting of the voting papers for the election, is in arrears in payment of any money owing to the Association shall not be entitled to have a voting paper nor to vote.

12 VACANCY ON THE MANAGEMENT COMMITTEE

- 12.1 A person's position on the Management Committee is vacated if that person resigns by written notice to the Executive Manager.
- 12.2 If a position on the Management Committee becomes vacant, the balance of the Management Committee may appoint a person to fill that vacancy until the next Annual General Meeting. Where necessary the person appointed must have the appropriate qualification.

13 ANNUAL GENERAL MEETINGS

- 13.1 The Management Committee shall call an Annual General Meeting to be held:
 - (a) Once in each calendar year; and
 - (b) Not later than six months after the balance date of the Association; and
 - (c) Not later than fifteen months after the previous Annual General Meeting; and
 - (d) In a location and format as the Management Committee may decide. This includes face-to-face, online, or a combination of both.
- 13.2 Written notice of the time and place of the Annual General Meeting must be given by the Executive Officer to each band, each Life Member, each District Association and each member of the Management Committee not less than ninety days before the meeting.
- 13.3 The Annual General Meeting shall:
 - (a) Receive an annual report.
 - (b) Receive the annual accounts.
 - (c) Confirm the appointment of the Management Committee.

- (d) Consider any business which the Management Committee puts before the meeting.
 - (e) Consider any business which any band or District Association asks the meeting to deal with in accordance with Rule 13.4.
 - (f) Consider any notices of motion given in accordance with these Rules.
- 13.4 Any band or District Association requiring any business to be considered by an Annual General Meeting shall give written notice of the business, in the form of a motion, to the Executive Officer not less than sixty days before the meeting.
- 13.5 The Management Committee may:
- (a) Reject or amend any motion which is not clear; and
 - (b) Amalgamate similar motions; and
 - (c) Determine the order in which motions are discussed.
- 13.6 Any band or District Association affected by a decision of the Management Committee made under Rule 13.5 may appeal without notice to the Annual General Meeting, whose decision shall be final.
- 13.7 Not less than thirty days before the Annual General Meeting the Management Committee shall send to each band and each District Association:
- (a) The Annual Report; and
 - (b) The Annual Accounts; and
 - (c) The names of the candidates for election to the Management Committee and the other information in Rule 11.3; and
 - (d) Copies of any motions to be considered at the meeting; and
 - (e) Notice of any other business to be dealt with at the meeting.

14 SPECIAL GENERAL MEETINGS

- 14.1 A Special General Meeting:
- (a) May be called by the Management Committee at any time.
 - (b) Shall be called by the Management Committee within one month of receiving a written request from not less than one third of affiliated member bands.

- 14.2 Any request by bands to call a Special General Meeting shall specify the business to be discussed in the form of a motion. No other business shall be discussed at that meeting.
- 14.3 Written notice of the time and place of the Special General Meeting and the motion or motions to be discussed at it shall be given by the Management Committee to each band and each District Association not less than fourteen days before the meeting.

15 PROCEEDINGS AT GENERAL MEETINGS

15.1 Who May Participate

- (a) Every band may be represented by one delegate and one observer.
- (b) Every District Association may be represented by one delegate.
- (c) No person shall represent more than one band or one District Association.
- (d) The only persons who may take part in a General Meeting of the Association are:
 - (i) The Management Committee.
 - (ii) Delegates or observers who produce to some person nominated by the Management Committee written authority to attend such meeting signed by the Secretary of the band or District Association which he or she represents.
 - (iii) Life Members of the Association.
 - (iv) A person invited to attend by the President or by resolution passed by a majority of those present and entitled to vote at such meeting.
- (e) Only delegates, Life Members, persons invited by the chairperson, and the Management Committee may speak or move a resolution.

15.2 Chairperson

- (a) The President, if one has been elected and is present at the meeting, shall chair the meeting.
- (b) If a person has not been elected or is not present within fifteen minutes of the time appointed for the commencement of the meeting, the meeting may choose one of their number to chair the meeting.

15.3 Adjournments

- (a) The chairperson may, with the consent of the meeting, adjourn it from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business unfinished at the meeting at which the adjournment took place.
- (b) If a meeting is adjourned for less than thirty days, it is not necessary to give notice of the time and place of the adjourned meeting other than by announcement at the meeting which is adjourned.

15.4 Minutes

- (a) The Management Committee shall keep minutes of the General Meeting proceedings.
- (b) Minutes which have been signed as correct by the chairperson of the meeting shall be conclusive evidence of the proceedings at the meeting.

15.5 Quorum

- (a) Delegates from not less than one quarter of affiliated member bands shall constitute a quorum.
- (b) No business shall be transacted at a meeting if a quorum is not present.
- (c) If a quorum is not present within thirty minutes after the time appointed for the meeting:
 - (i) In the case of a meeting called pursuant to a request from bands the meeting shall be dissolved.
 - (ii) In the case of any other meeting, the meeting shall be adjourned to such other date, time and place as the Management Committee may appoint and, if at the adjourned meeting a quorum is not present within thirty minutes after the time appointed for the meeting, those present shall constitute a quorum.

15.6 Voting

- (a) Every band, every Life Member, District Association and member of the Management Committee shall have one vote.
- (b) Votes on behalf of a band shall be made only by the delegate of that band. Voting by proxy is not permitted.

- (c) Voting at the meeting shall be determined by the chairperson of the meeting.
- (d) All resolutions shall be carried by a majority of votes.
- (e) In the event of an equality of votes, the chairperson shall have a casting as well as a deliberative vote.
- (f) A declaration by the chairperson of the meeting that a resolution is carried is conclusive evidence of that fact.

15.7 Other

- (a) The Executive Officer may attend all general meetings and speak, but shall not vote.
- (b) The right of any person to be present or to vote may be determined by a majority of the other persons present at such meeting and entitled to vote.
- (c) Matters not provided for by these Rules may be determined:
 - (i) Initially by the chairman; and
 - (ii) Subsequently, at the request of a delegate, by the meeting.
- (d) A resolution of a General Meeting shall not be rescinded or amended in any material way within three years of the date of its passing, except with the leave of two thirds of delegates present at a subsequent meeting.

16 PROCEEDINGS OF THE MANAGEMENT COMMITTEE

16.1 Chairperson

- (a) The President shall be the chairperson of the Management Committee.
- (b) If the President is not present at a meeting within five minutes after the time appointed for its commencement, the Management Committee members present may choose one of their number to be chairperson of the meeting.

16.2 Convening Meetings

- (a) The chairperson or the Executive Officer, upon request in writing by not less than three members of the Management Committee, may convene a meeting of the Management Committee by giving notice in accordance with this clause.
- (b) Not less than ten days notice of a meeting of the Management Committee must be given to every member and the notice must include the date, time and place

of the meeting and the matters to be discussed.

- (c) Notice of a meeting may be given by any means, ensuring all practical steps are taken to contact each member.
- (d) An irregularity in the notice of the meeting may be waived if four members entitled to receive notice of the meeting agree.

16.3 Method of Holding Meetings

A meeting of the Management Committee may be held either:

- (a) By the members sufficient to form a quorum being assembled together at the place, date and time appointed for the meeting; or
- (b) By communication methods by which all the members participating in the meeting and constituting a quorum can simultaneously hear each other throughout the meeting.

16.4 Quorum

- (a) A quorum for the meeting of the Management Committee shall be four members.
- (b) No business shall be transacted at a meeting of the Management Committee if a quorum is not present.

16.5 Voting

- (a) Every member shall have one vote.
- (b) In the event of an equality of votes, the chairperson shall have a casting as well as a deliberative vote.
- (c) A resolution of the Management Committee is passed if the majority of the votes cast on it are in favour of it.
- (d) A member present at a meeting of the Management Committee is presumed to have agreed to and to have voted in favour of, a resolution of the Management Committee unless he or she expressly dissents from and votes against the resolution at the meeting or abstains from voting.

16.6 Minutes

The Management Committee shall ensure that minutes of proceedings at its meetings are kept.

16.7 Sub-Committees

The Management Committee may set up a sub-committee to deal with any particular matter, and may delegate to the sub-committee such of the powers of the Management Committee as are necessary to enable the sub-committee to deal effectively with the matter.

16.8 Other Proceedings

Except as provided in these Rules the Management Committee may regulate its own procedure.

17 SECTIONS

17.1 The Management Committee may establish a section or sections.

17.2 The purpose of a section is to give members who have a common interest in any area of the Association's activities and opportunity to promote that interest, to discuss and debate issues of interest, and to prepare and disseminate reports, studies and recommendations.

17.3 No section shall make any statement or issue any report in the name of the Association, but may do so in the name of the section subject to any conditions and restrictions imposed by the Management Committee.

17.4 The Management Committee shall maintain a register of members of each section, and may provide secretarial assistance for sections.

17.5 Any member of a member band or any other person approved by the Association may become a member of any section or sections by applying in writing to the Management Committee and paying any fee payable for membership of such section or sections.

17.6 Membership of a section shall continue until:

- (a) The member band of such member ceases to be a member of the Association; or
- (b) The person resigns from the section or sections;
- or
- (c) The person fails to pay any fee for membership of the section within two months after the due date for payment.

17.7 Each section shall govern and organize its affairs and elect or appoint officers and committees of its members in such manner as its members shall determine, but all rules or by-laws regulating any section shall only come into force after approval by the Management Committee.

17.8 The President may invite a representative or representatives of any section to attend a meeting of the Management Committee. If the meeting agrees such a person may speak at that meeting.

18 DISCIPLINE

18.1 If the Management Committee is satisfied after having followed the procedure stipulated in Rule 19 that:

- (a) A band or member of a band has been guilty of misconduct in his, her or its dealings with the Association, its members or the Management Committee; or
- (b) A band or member of a band has committed a breach of any of these Rules, or any by-laws or regulations of the Association;

The Management Committee may impose one or more of the following penalties on the offending band or person:

- (i) Reprimand the offending band or person.
- (ii) Disqualify the offending band or person in respect of any contest or contest event in which the offender has taken part if the misconduct or breach relates to that contest.
- (iii) Fine the offending band or person an amount not exceeding \$500.00 each.
- (iv) Suspend an offending band from the Association for a period not exceeding three years subject to such conditions as to reinstatement or otherwise as may be specified.
- (v) Remove an offending band from the register of members.
- (vi) Prohibit an offending person from being a member of a band for such period of time as the Management Committee thinks fit.

18.2 A band or person so penalized shall be notified in writing as soon as practicable thereafter.

18.3 A band or person disqualified shall repay any prize money and surrender any trophy won at the contest or contest event in which the offender has been disqualified.

18.4 Any fine imposed shall be paid upon notice in writing being given, and until it is paid the band or person shall be suspended.

18.5 A penalty of suspension shall commence upon notice in writing being given. During the

period of suspension:

- (a) All rights, privileges and benefits as a member of the Association shall cease; and
- (b) All persons who are members of the band suspended shall lose their rights, privileges and benefits of being a member of a band affiliated to the Association, provided that the Management Committee may, by resolution, relax the suspension as it affects persons who are members of the band suspended, subject to such conditions as it sees fit to impose. No person who is a member of a suspended band shall be a member of, or play as an assisting musician for, any other affiliated band during the period of the suspension.

19 PROCEDURE

- 19.1 Before a band or person is penalized pursuant to Rule 18, the band or person shall be given not less than one months notice in writing:
- (a) Advising that the Management Committee is to consider disciplining the band or person; and
 - (b) Advising the time and place of the meeting at which the consideration will be given; and
 - (c) Advising the band or person of the matters to be considered; and
 - (d) Inviting the band or person to offer an explanation either orally or in writing.
- 19.2 If a band or person wishes to make an explanation, it or he or she may do so either orally at the meeting or in writing prior to the date of the meeting, and such explanation shall be considered by the Management Committee.
- 19.3 Notice under this Rule shall be properly given if sent by prepaid post to the address of the band or person recorded in the Association's books.

20 APPEALS

- 20.1 A band suspended or removed from the register of members, or a person prohibited from being a member of a band, may appeal to an Annual or Special General Meeting of the Association.
- 20.2 Notice of any such appeal shall be given in writing to the Management Committee within fourteen days of the notice advising of the imposition of the penalty being received by a band or bandperson.

- 20.3 The appeal shall be by way of rehearing, and the decision of the Annual or Special General Meeting shall be final.
- 20.4 The appeal shall be conducted by an independent chairperson, elected for the purpose by the Annual or Special General Meeting, in such manner as he or she thinks fit.
- 20.5 The penalty or penalties imposed shall remain in force until the hearing of the appeal, unless the Management Committee resolves otherwise.

21 READMISSION

- 21.1 A band suspended from or removed from the register of members, or a person prohibited from being a member, may after six months from the imposition of the penalty apply in writing to have the penalty varied or remitted.
- 21.2 At the meeting following receipt of any such application the Management Committee shall deal with it as it thinks fit.
- 21.3 If a band is readmitted, or a person is no longer prohibited from being a member of a band, that band or person shall again become entitled to all rights, privileges and benefits of the Association.

22 REGULATIONS

- 22.1 The Association may by resolution of a General Meeting make, amend or cancel Regulations, consistent with these Rules, covering the control and conduct of contests ("the Contest Regulations").
- 22.2 The Management Committee may make such other regulations consistent with these Rules as are necessary for carrying out the objects of the Association.
- 22.3 Without limiting its general power the Management Committee may make regulations:
- (a) Prescribing forms and procedure about registration.
 - (b) Prescribing forms and procedure about applications for grants and loans.
 - (c) Regulating the control and conduct of schools of instruction.
 - (d) Regulating the control and conduct of any bands representing New Zealand.
 - (e) Regulating the control and use of the Association's music library.

- (f) Regulating the control and distribution of any publication produced by the Association.

23 EXECUTIVE OFFICER

- 23.1 The Management Committee may from time to time appoint an Executive Officer, at such remuneration and upon such conditions as they think fit and, subject to the terms of any agreement entered into in any particular case, any Executive Officer so appointed may be removed by it.
- 23.2 The Management Committee may delegate to the Executive Officer any of the powers exercisable by it upon such terms and conditions and with such restrictions as it thinks fit, and may from time to time revoke, withdraw, alter or vary all or any of those powers.

24: ANNUAL ACCOUNTS

- 24.1 The Annual Accounts of the Association, made up to the preceding 31st Day of July, must be presented, approved, and ratified at the AGM.
- 24.2 If the Annual Accounts are not approved and ratified at the AGM, the Management Committee will engage an independent, suitably qualified accountant/auditor to review the accounts.
- 24.3 Such reviewed accounts will then be forwarded to member bands at the earliest possible time, but not later than three months after the AGM, for members' ratification.

25 COMMON SEAL

- 25.1 The Association shall have a common seal.
- 25.2 The seal shall be kept by the Executive Officer.
- 25.3 The seal shall only be used pursuant to a resolution of the Management Committee.
- 25.4 Every document to which the seal is affixed shall be signed by two members of the Management Committee and by the Executive Officer.

26 CONTESTS

- 26.1 National Contests shall be conducted in accordance with the Contest Regulations.
- 26.2 District Associations may conduct contests.
- 26.3 The Management Committee may also approve contests promoted and controlled by other persons on such conditions as it thinks fit.

- 26.4 No band and no members of a band shall participate in a contest, other than a District Contest, not approved by the Management Committee.
- 26.5 Bands intending to compete overseas shall notify the Management Committee of their intention to do so.
- 26.6 Bands shall not compete at a contest overseas if there is, in the opinion of the Management Committee, a possibility of the National Band of New Zealand competing at the same contest.

27 NOTICES

- 27.1 Any notice required to be given by these Rules shall be sufficiently given if it has been sent to the last known address of the addressee in the records of the Association.

28 AMENDMENT OF RULES AND REGULATIONS

- 28.1 These Rules and the Contest Regulations may be amended by resolution passed at a General Meeting of the Association where a band has given written notice of the amendment in the form of a motion to the Management Committee not less than sixty days before the meeting.
- 28.2 Not less than thirty days before the meeting the Management Committee shall send copies of any such motion to each band and each District Association.

29 DISSOLUTION

- 29.1 A majority of the persons present and entitled to vote at a Special General Meeting of the Association called for the purpose may resolve that the Association be dissolved as from a date fixed by the resolution, and may also direct the procedure for winding up and the method of distribution of the surplus funds and property of the Association, if any, remaining after payment of its debts and liabilities.
- 29.2 Notwithstanding Rule 29.1, if upon the winding up or dissolution of the Association, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members of the Association, but shall be given or transferred to some society or association having charitable objects similar to the objects of the Association, to be determined by members of the Association at or before the time of dissolution.
- 29.3 Notwithstanding anything in these Rules the income and property of the Association, wherever derived, shall be applied solely towards the promotion of the objects of the Association as set forth in these Rules, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profits to the members of the Association.