

# City of Wollongong Brass Band

Incorporated



## By-Law No. 4

# Instruments, Uniforms & Band Assets

**And request for External (Personal) Use of a BAND Instrument**



President: William Short

Secretary: Lindsay Dunstan

Date: 23 March 2018

Date: 23 March 2018

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## Part 1 – Introduction

- 1.1 In keeping with the tradition of community brass bands, **BAND Brass Band players** may be provided with a BAND jacket and an instrument.
- 1.2 **BAND Wind Band players** will provide their own instruments. Wind Band brass players may be issued with an instrument at the discretion of the Committee.
- 1.3 The Committee may levee a holding deposit, determined by the Committee, from all members which will be;
  - (a) fully refundable in full if their BAND uniform, instrument (also **Clauses 2..4, 2.4.5 & 7.4.2**) and other assets are returned in a clean and serviceable condition, or,
  - (b) partially refundable after a deduction of the costs of cleaning and repairs of **BAND** uniforms, instruments (also **Clause 7.4.2**) and other assets, or,
  - (c) non-refundable and used to offset the cost of recovery and/or replacement of non-returned **BAND** uniforms, instruments and other assets.

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## Part 2 – Uniform

- 2.1 The Brass Band uniform shall be;
- (a) a sky blue jacket with a **BAND** logo, and,
  - (b) white business shirt, and,
  - (c) a red tie, and,
  - (d) black trousers, skirt or equivalent, and,
  - (e) black socks, and,
  - (f) black shoes, and,
  - (g) a black hat for outdoor performances.
- 2.2 The Wind Band uniform shall consist of;
- (a) a **BAND** approved jacket/vest, and,
  - (b) white business shirt, and,
  - (c) a black tie, and,
  - (d) black trousers, skirt or equivalent, and,
  - (e) black socks, and,
  - (f) black shoes, and,
  - (g) a black hat for outdoor performances
- 2.3 A Social Member shall be entitled to wear a **BAND** polo shirt or Wind Band jacket/vest.
- 2.4 A **BAND** polo shirt may be substituted as an alternative uniform by all bands when advised.
- 2.5 A musical director may vary the uniform worn by a band for a performance.
- 2.6 All Members issued with a **BAND** uniform, including a hat & tie must keep them clean and well maintained.
- 2.6 All Members must provide their own white shirt, black pants and/or trousers, black socks and black shoes.
- 2.7 Members may be required to subsidise the cost of the provision of their uniforms and all Members, including Social Members, shall purchase a **BAND** polo shirt, and, Wind Band Members and Social Members an approved jacket/vest, at a price determined by the Committee after deduction of any **BAND** subsidy.

## Part 3 - Recording of Issued Instruments, Uniforms & Assets

- 3.1 The Vice President (*Constitution Rule 3.2.2(c)*) or a person(s) appointed in accordance with the Constitution and By-Laws must record the name and serial number of any **BAND** property issued to each member of the **BAND**.
- 3.2 Each member on receiving any **BAND** property shall sign a receipt book and will be held responsible for the property value when issued or cost of equivalent repairs, in the event of their being abused or neglected. (Also, *Constitution Rules 2.4.4, 2.4.5, 7.1.3 & 7.3.3*).

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## Part 4 - Disposal of Assets

- 4.1 Disposal of any assets of the Band valued at \$1,000.00 or higher will require a Special Resolution (*Constitution Rules 5.7 & 10.4.1*).
- 4.2 No **BAND** asset and/or property must be gifted (*Constitution Rules 6.1 & 9.5*).
- 4.3 The **BAND** may recover from an individual and/or individuals, the value of any asset inappropriately disposed in accordance with *Constitution Rules 7.1.3, 7.3.3 & Clause 5.6*.
- 4.4 Details relating to the disposal assets must be recorded in the **BAND** Asset Register (*Constitution Rule 3.2.2(b)(i)*).

## Part 5 - Private Use of BAND Instruments, Equipment & Other Assets

- 5.1 A Member must apply in writing to the Committee for use of **BAND** equipment and/or an instrument for personal use (*By-Law No. 2*).
- 5.2 The request must contain details of the expected use, duration of the borrowing period and a statement to the effect that the borrower will be responsible for repairs and/or replacement of the borrowed item if it is not returned in the initial borrowed condition at the end of the borrowed period.
- 5.3 The Committee may request that the Applicant Borrower complete and submit a declaration of a Conflict of Interest in accordance with *Constitution Rule 2.7.3 & the By-Laws*.
- 5.4 The Committee must advise the applicant borrower of its decision within fourteen (14) days of the date of request.
- 5.5 The Instrument Officer (*Constitution Rules 3.2.2(c) & 4.2(d)*) shall record details of the lending and return of an instrument and/or asset.
- 5.6 Any person borrowing **BAND** property for any reason may be required to leave a deposit, shall sign a receipt book and will be held responsible for the property value when issued or cost of equivalent repairs and/or replacement, in the event of their borrowed asset being abused or neglected (Also, *Constitution Rules 7.1.3, 7.3.3 & Clause 4.3*).
- 5.7 The Committee reserves the right to recall a borrowed instrument and/or equipment at any stage.
- 5.8 The **BAND** may charge the borrower a fee for the loan of the instrument and/or equipment.
- 5.9 A late return fee determined by the Committee may be payable at the discretion of the Committee.
- 5.10 **BAND** instruments and equipment which have been borrowed may not be covered by Band insurances.

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## Part 6 - Personal Instruments for BAND Use

- 6.1 Members using personal instruments at **BAND** rehearsals and performances should register their instruments with the Instrument Officer (*Rule 4.5*).
- 6.2 The Instrument Officer will record details of the member's personal instrument (make, model & serial number together with the condition of the instrument from time to time) in anticipation of a future insurance claim.
- 6.3 Claims for damage and/or loss to a member's personal instrument arising from **BAND** use are to be submitted in writing to the Secretary for consideration by the Committee at their next committee meeting.
- 6.4 Any person making an insurance claim against the **BAND** may be required to reimburse the **BAND** for any insurance policy excess.
- 6.5 The **BAND** will have no liability for damage and/or loss of a member's personal instrument arising from any negligence and/or wilful misconduct.
- 6.6 An unregistered personal instrument sustaining damage and/or loss arising from a **BAND** activity may not be covered by **BAND** insurance.

## Part 7 - Definitions

<b>BAND</b>	City of Wollongong Brass Band Incorporated which is the registered association in accordance with the Associations Act, 2009.
Association	Is a definition from the Associations Act, 2009, and means an association registered under the Associations Act, 2009. There is no reference to the Band Association of NSW.
Clause	A particular and separate paragraph, point, rule, subsection.
Committee	In relation to an association, means the governing body of the association, however described.
Committee Member	A member of the Committee.
Constitution	The Constitution of the City of Wollongong Brass Band, Inc.

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~ City Of Wollongong Brass Band Incorporated ~

## Request to Use **BAND** Instruments and/or Property for Personal Use and other non- **BAND** Activities

Date:

I:

Address:

Telephones: Home;

Mobile

E-mail;

Request to use

Instrument type,

Brand,

Serial no.

Reason for request:

Expected duration of use:

I am aware that the use of a **BAND** instrument may cause a conflict of interest in accordance with the **BAND** Conflict of Interest Policy and Procedure and my use of the instrument/property will be recorded in the **BAND** Conflict of Interest Register and instrument property records. I am aware that I am required to notify the Secretary of the **BAND** of any changes to my circumstances so that the Register can be updated.

I am also aware that:

1. I am required to take all steps to mitigate loss and/or damage to the instrument/property whilst it is in my care during my personal use.
2. I will either make good any loss or damage at my own expense, or reimburse the **BAND** for the cost of any replacement or repairs arising from any loss or damage whilst the instrument/property is in my care during my personal use.
3. The **BAND** reserves the right to withdraw its approval of my use of its instrument/property for any reason at any time.
4. I will also notify the Secretary of any changes of my conflicts of interest in respect of my usage of any of the Band's equipment and/or property within seven (7) days of the change occurring.

Signed:

Dated:

President: William Short

Secretary: Lindsay Dunstan

Date: 23 March 2018

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