

CONSTITUTION OF THE LEICESTER BACH CHOIR (*Registered Charity No 501890*)

1. TITLE The name of the society shall be The Leicester Bach Choir, hereinafter referred to as the Choir.

2. OBJECT The object of the Choir is to educate the public about choral music, by the presentation of concerts and related activities.

3. MEMBERSHIP

(1) The Choir will have singing and non-singing members, who will pay annual subscriptions which will be determined by the committee.

(2) Prior to joining the Choir, singing members will be required to pass an audition. At the discretion of the music director they will, from time to time, be required to pass a re-audition.

(3) No person shall be excluded from membership or any office on grounds of sex, gender, race, colour, religion, country of origin, disability or marital status.

4a. OFFICERS & COMMITTEE

(1) The Choir shall be managed by a committee that consists of a chairperson, vice-chairperson, secretary and treasurer, two representatives of non-singing members and four representatives of singing members.

(2) The same persons shall also be the trustees of the choir.

(3) The quorum for a meeting will be five.

(4) No person may hold more than one office at a time.

(5) Further members may be co-opted by the committee and shall not have voting rights.

(6) The music director may attend all meetings, except when his or her position is being discussed, but shall not have voting rights.

(7) Trustees can be paid legitimate expenses incurred on behalf of the Choir. Expenses include conducting or accompanying the choir if necessary, in the absence of the permanent conductor or accompanist.

(8) Any other trustee payments, or payments to connected persons of trustees, must be with the approval and/or permission of the Charity Commission and in accordance with the Trustees Act 2000 and section 185 of the Charities Act 2011 where appropriate.

4b. Disqualification and removal of trustees

A trustee shall cease to hold office if he or she:

(1) is disqualified from acting as a trustee by virtue of sections 178 and 179 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision);

(2) ceases to be a member of the Choir as detailed in section 3

(3) in the written opinion, given to the Society, of a registered medical practitioner treating that person, has become physically or mentally incapable of acting as a trustee and may remain so for more than three months;

(4) resigns as a trustee by notice to the Society (but only if at least two trustees will remain in office when the notice of resignation is to take effect); or

(5) is absent without the permission of the trustees from all their meetings held within a period of 12 consecutive months and the trustees resolve that his or her office be vacated.

5. POWERS AND DUTIES OF THE COMMITTEE

(1) The committee is responsible for the management of the Choir, and will carry this out in a reasonable and efficient manner.

(2) The committee will meet at least three times per year.

(3) In pursuing the object of the Choir, the committee may exercise the following powers:

- (i) Sell tickets and programmes, raise funds and invite contributions, but shall not undertake any substantial permanent trading activities
- (ii) Buy, lease or exchange any property, and maintain and equip it for use.
- (iii) Sell or otherwise dispose of all or any part of the property of the Choir.
- (iv) Borrow money and charge repayment of that money to the Choir. The limit of borrowing shall be 40 times the current annual subscription for singing members.
- (v) Employ staff who shall not be members of the committee.
- (vi) Co-operate with other charities and voluntary bodies.
- (vii) Appoint and constitute advisory sub-committees consisting of three or more members.
- (viii) Do things which are necessary to achieve the object of the Choir which comply

with the laws of England and Wales.

6. MUSIC DIRECTOR

- (1) The Choir shall have a music director.
- (2) The music director will be appointed by the committee after considering the views of members.
- (3) Subject to the approval of the trustees, the music director will be responsible for directing the musical affairs of the choir.
- (4) He or she will be paid a fee for work done, which is to be agreed by the committee.

7. ANNUAL GENERAL MEETING

- (1) The Choir will hold an annual general meeting within 4 weeks of the commencement of each season in August or September each year.
- (2) Members of the Choir will be informed of the time, place and agenda of the annual general meeting, in writing and at least 14 days in advance.
- (3) The chairperson, music director and treasurer will present reports at this meeting.
- (4) All posts on the committee will become vacant at the annual general meeting. The chairperson's period of office is limited to five consecutive years, but otherwise all members may stand for election or re-election.
- (5) The quorum will be 20, or one third of the members, whichever is less.

8. EXTRAORDINARY GENERAL MEETING

- (1) An extraordinary general meeting will be called by the committee, should the secretary receive a written request signed by at least twelve members.
- (2) Within 14 days of the request being received in writing, members of the Choir will be informed of the time, place and agenda of the extraordinary annual general meeting.
- (3) The meeting will be held within 14 days of the notice. The quorum will be 20, or one third of the members, whichever is less.

9. FINANCE

- (1) The financial year of the Choir shall commence on 1st July.

(2) All accounts will be operated in the name of the Choir, and shall require the signature of two trustees to be determined by the committee.

10. ACCOUNTS

(1) The accounts shall be examined annually by a person who is independent of the committee. The person will be appointed or reappointed at the annual general meeting.

(2) The trustees' annual report and accounts shall be prepared in accordance with the Charities Act 1993, or other legislation which might succeed it.

11. ASSETS - The money and property of the Choir shall only be used towards following the object of the Choir. None of these shall be paid or transferred either directly or indirectly to any trustee of the Choir, except as legitimate expenses incurred on behalf of the Choir.

12. AMENDMENTS TO THE CONSTITUTION

(1) The constitution may be amended by a two thirds majority of the members present at any annual or extraordinary general meeting.

(2) Notice of amendments must be sent to all members at least 14 days before such a meeting.

(3) No amendment may be made to clauses 1, 2, 12 or 13 without the prior consent in writing of the Charity Commissioners. No amendment may be made which would have the effect of making the choir cease to be a registered charity in law. The trustees will seek the prior advice of the Charity Commissioners for any amendments to the constitution.

13. DISSOLUTION

(1) The Choir may be dissolved by a two thirds majority at an annual general or extraordinary general meeting.

(2) Notification of such a meeting with dissolution as a stated agenda item, would be as in section 7 or 8.

(3) Any assets remaining after payment of debts and liabilities shall be transferred to a registered charity having a similar object or objects, and based in the City or County of Leicester.

Adopted 2 September 1998, with minor amendment to Clause 4 agreed 2nd September 2009. Amendments to Clauses 3, 4, 6 agreed 6th September 2017. Additions to Clause 4 agreed 4th September 2019

