

The Cowichan Pipers and Drummers Society Constitution and By Laws

ARTICLE 1 - CONSTITUTION

- Section 1. The name of the society is "The Cowichan Pipers and Drummers Society". The name of this society or any part thereof, or derivative there from may be employed only in connection with the official activities of this society.
- Section 2. The Cowichan Pipers and Drummers Society is the fund raising and financial administrative arm of "The Cowichan Pipes and Drums", an independent community orientated Scottish pipe band that was established March 25, 1999. The Cowichan Pipes and Drums may be referred to in the following by laws as "the band", and the Cowichan Pipers and Drummers Society may be referred to as "the society".
- Section 3. The society may support other organizations and/or individuals with similar goals and objectives.
- Section 4. The purpose of the society is to raise and administer funds as a non profit organization to financially support;
- (a) participation in a regional musical band that promotes Scottish music and culture,
 - (b) provide musical education and appreciation of great highland bagpiping and drumming by
 - (i) creating educational opportunities for persons of all ages to learn to play bagpipes or drums in a disciplined and tutored environment, and
 - (ii) guide and support those band members wishing to further their musical education,
 - (c) promote physical fitness and,
 - (d) entertain and represent local communities at civic events.
- Section 5. Fund raising for the society shall be by way of society membership fees, corporate membership fees, private and public donations and special events.
- Section 6. The society has been designated a non profit charitable organization by Revenue Canada and therefore qualifies for tax exempt status under the Income Tax Act. Receipts shall be provided for all donations and include the business number 86686 2477 RR0001.
- Section 7. All funds raised by the society shall be for the sole use of the society in furtherance of its goals and objectives. No commitments or expenditure of society funds will be made without the express approval of the executive officers of the society on behalf of the membership.
- Section 8. All equipment, including uniforms purchased by the society for use by band members or loaned to any other person shall remain the property of the society and shall be returned to the society, in good order, immediately on demand of the society executive.

Section 9. The society shall within its financial abilities, provide the band all necessary equipment, including uniforms to enable the band to function. This provision shall include a maintenance fund of three hundred dollars to be under the control of the Pipe Major or his designee. The Pipe Major or his designee shall provide receipts of monies spent from this fund to the society treasurer. The treasurer shall reimburse spent monies back to the maintenance fund. The amount of the maintenance fund may be changed at the request of the Pipe Major and the concurrence of the society executive.

ARTICLE 2 - MEMBERSHIP

- Section 1. Founding principles statement;
“The Cowichan Pipers and Drummers Society was founded on the principles of a democratic organization whose members volunteer their time, efforts and support toward the goals and objectives of this society. To this end, all members in good standing shall share equally in all duties and responsibilities.”
- Section 2. Any person who subscribes to the purpose of this society as described in ARTICLE 1 and is in agreement with the by laws described in this document is eligible to become a member of this society without prejudice.
- Section 3. The types of membership in this society are,
(a) active membership – any person having paid the annual membership fee and is committed to the purpose of the society,
(b) honorary membership – any person who has provided unusual and exemplary service which has aided the society to achieve its goals and objectives. An honorary member is not eligible to vote, however may become an active member. A person is granted honorary membership by majority vote of the active membership.
- Section 4. The responsibilities of membership are to attend meetings and participate in the functions and affairs of the society. A member when conducting functions and affairs of the society is expected to act honestly and in the best interests of the society.
- Section 5. A person’s membership may cease to be in good standing when,
(a) that member’s conduct becomes detrimental to the affairs, functions and goals of the society, and,
(b) a general membership vote for expulsion was held resulting in a minimum 75% majority vote, and,
(c) all conditions of the Society Act of British Columbia, Revised Statute Chapter 433, Schedule B, Part 2 have been completed.

ARTICLE 3 - BY LAWS

Section 1. The business of this society will be conducted in accordance with Schedule B of the Society Act of British Columbia, Revised Statutes Chapter 433.

ARTICLE 4 - DISSOLUTION

Section 1. Should the Cowichan Pipers and Drummers Society for whatever reason, dissolve, the executive will ensure that all business of the society is complete and all obligations are met based on circumstances allowing, to the best of their abilities that any assets on loan to the society is returned to its rightful owner.

Section 2. Resolution: Resolved that should the Cowichan Pipers and Drummer Society, which received charitable gaming funds from licensed charitable gaming and/or direct charitable access, at any time dissolve or cease to exist, have any and all gaming monies or assets purchased with gaming funds held to date of dissolution or cessation of existence, these/they shall be distributed by the Cowichan Pipers and Drummers Society to a registered charity or charities in British Columbia, as defined in the Income Tax Act (Canada), or such charitable organization or organizations in British Columbia having similar charitable purpose.
Resolved further that the foregoing resolution shall not be altered or amended and shall continue to be binding on the Cowichan Pipers and Drummers Society.

Certified to be a true and correct copy of a resolution unanimously passed by the membership of the Cowichan Pipers and Drummers Society at a meeting held on _____ at the city of Duncan, British Columbia.

Signed _____
President

Treasurer

February 2009

THE COWICHAN PIPES AND DRUMS

CHARTER AND RULES

ARTICLE 1 – PURPOSE

- Section 1. The Cowichan Pipes and Drums is a non profit musical band established March 25, 1999 for the purposes of,
- (a) encouraging participation in a regional musical band that promotes Scottish music and culture,
 - (b) providing musical education and appreciation of great highland bagpiping and drumming by;
 - (i) creating educational opportunities for persons of all ages to learn to play the bagpipes or drums in a disciplined and tutored environment, and
 - (ii) guide and support those band members wishing to further their Musical education,
 - (c) promote physical fitness, and
 - (d) entertain and represent local communities at civic events.

ARTICLE 2 – FINANCES AND EQUIPMENT

- Section 1. The Band is financed entirely by the Cowichan Pipers and Drummers Society through charitable donations and other funds raised by that society.
- Section 2. Equipment, including uniforms purchased by the Cowichan Pipers and Drummers Society for use by the band in general and individual band members is the sole property of that society.
- Section 3. The Cowichan Pipers and Drummers Society shall provide to the Pipe Major of the band or his designee a sum of three hundred dollars for the purposes of general maintenance of band equipment and administration of the band.
- Section 4. The Pipe Major may use the maintenance funds as he/she sees fit, and will provide receipts of monies used to the treasurer of the Cowichan Pipers and Drummers Society as soon as practicable.

ARTICLE 3 – GENERAL MEMBERSHIP RULES

- Section 1. The band is structured along the lines of military discipline. All members of the band shall obey all lawful orders of the band officers.
- Section 2. Band members are expected to attend all band practices and functions. Emergencies, work related and illness absentees are exempted, however, the member should notify a band officer of his/her absence as soon as practicable.
- Section 3. A member may participate with another band provided that there is no conflict with the members' obligation to the Cowichan Pipes and Drums.

- Section 4. Members are expected to maintain uniforms and equipment, issued to them, in clean and serviceable condition. Members may be assessed the cost of repair or replacement of band issued uniforms and equipment lost or damaged through negligence.
- Section 5. A member may request uniform and equipment issue or repair for,
(a) bagpipe equipment and parts to the Pipe Major,
(b) drum equipment and parts to the Drum Sergeant, and
(c) uniforms and uniform articles to the Drum Major.
The request will then be forwarded, in writing to the executive of the Cowichan Pipers and Drummers Society for approval. This type of request is not necessary if, in the opinion of the Pipe Major, funds from the band maintenance fund can be used.
- Section 6. Members will strive to perform at the highest level of their abilities.
- Section 7. Members when acting on behalf of the band for any purpose or reason shall conduct themselves in an honest manner and in the best interests of the band.

ARTICLE 4 – STATUS CHANGE OF MEMBERSHIP

- Section 1. A member may resign from the band by submitting a letter of resignation to the Pipe Major or the Drum major.
- Section 2. At the time of resignation the resigning member shall return all equipment and uniforms complete and in good order to the band Quartermaster. The Quartermaster shall inform the executive of the Cowichan Pipers and Drummers Society of compliance or non-compliance within fourteen (14) days of the effective date of the band members resignation.
- Section 3. A member in good standing may request, in writing, a leave of absence from the band. The request shall be submitted to the Pipe Major or the Drum Major and approval may be granted by the Pipe Major after consultation with all other band officers.
- Section 4. An absence may be granted for a period of no longer than six (6) months. At the expiry of six (6) months the member may request an extension of his/her leave of absence, in writing to the Pipe Major or the Drum Major. One (1) leave of absence extension only may be granted.
- Section 5. A member on leave of absence may retain in his/her possession all equipment and uniforms issued from the band unless,
(a) the equipment and /or uniforms, due to shortages or audit purposes, are required by the band,
(b) the leave of absence has expired and no written request for an extension has been received,
(c) the request for a leave of absence extension has been refused, or
(d) the member has resigned or been dismissed from the band.

- Section 6. A band member whose conduct is considered detrimental to the interests of the band may be brought before the band executive (band officers) for review. Such action must be brought forward by written complaint to the band executive. Following an investigation by the band executive, a recommendation will be made by the executive to the band membership, who may approve, reject or modify the recommendation. Further,
- (a) a member may be dismissed or suspended from the band by a majority vote of seventy five percent (75%) by the band membership, and,
 - (b) the member in question has no vote.
- Section 7. A member may be suspended by the Pipe Major or the Drum Major or their designee, on site if they deem the situation requires immediate action. The normal procedure as outlined in Section 6 must then be complied with as soon as practicable.

ARTICLE 5 – BAND OFFICERS

- Section 1. Band officers shall be selected from time to time within the active membership of the band. All band officers are members of the **band** executive. The band officers positions are Pipe Major, Drum Major, Pipe Sergeant, Drum Sergeant, Band Manager and Quartermaster.
- Section 2. Band officers will, with due diligence, serve the band in the position or office they have been entrusted with. They shall provide leadership by setting an example to which band members may clearly follow. They will be required to participate as an active team member of the band executive, in all areas of band operations, as required.
- Section 3. Band officers are responsible for the general operation of the band with regards to appearance, musical ability, evaluation and critique of band performance.

ARTICLE 6 – BAND OFFICER DUTIES

- Section 1. The Pipe Majors' responsibilities are,
- (a) primary criteria for the level of musical ability of the band,
 - (b) selection or rejection of playing members,
 - (c) in charge of all performance parameters,
 - (d) establish a training curriculum of music,
 - (e) select tunes for practice, training and band events,
 - (f) work in unison with the Drum Major,
 - (g) act as band liaison with the Cowichan Pipers and Drummers Society, and
 - (h) identify and recommend to the band executive, band members who show instructional qualities for leadership development.

- Section 2. The Drum Majors' responsibilities are,
- (a) maintain overall discipline, deportment and dress of the band,
 - (b) instruct drill to the band in accordance with current drill movements of the Canadian Armed forces,
 - (c) establish proper dress regulations consistent with current uniforms and equipment within traditional Scottish customs,
 - (d) work in unison with the Pipe Major and Drum Sergeant to establish and maintain a training curriculum of general performance,
 - (e) determine which uniform shall be worn by the band and any given performance,
 - (f) command the movements of the band at any parade, event or performance where and Drum Major is required and consistent with the musical arrangements of the Pipe Major,
 - (g) assess and critique individual band members or the band as whole in the areas of drill, discipline, deportment and dress, and,
 - (h) identify and recommend to the band executive, band members who show instructional qualities for leadership development.

- Section 3. The responsibilities of the Pipe Sergeant are,
- (a) to perform the duties of the Pipe Major when he/she is absent from a band function or practice,
 - (b) assist the Pipe Major in the selection or rejection of playing members,
 - (c) assist the Pipe Major in the conduct of band practices,
 - (d) identify and recommend to the band executive, band members who show instructional qualities for leadership development, and,
 - (e) all other reasonable duties requested or ordered by the Pipe Major or Drum Major.

- Section 4. The responsibilities of the Drum Sergeant are,
- (a) as lead drummer, instruct and develop the musical skills of the drummers to the performance level required by the Pipe Major,
 - (b) write and/or select drum scores and/or cadences complimentary to the piping arrangements,
 - (c) assist the Pipe Major in the selection or rejection of playing members,
 - (d) identify and recommend to the band executive, band members who show instructional qualities for leadership development, and,
 - (e) all other reasonable duties requested or ordered by the Pipe Major or Drum major.

- Section 5. The responsibilities of the Band Manager are,
- (a) receive, evaluate and make recommendations to the band executives any requests for band performances,
 - (b) conduct all appropriate correspondence to the requesting individual or organization regarding date, time, place and type of performance requested
 - (c) receive any financial donation(s) from the requesting individual or organization and forward those donations to the Treasurer of the Cowichan Pipers and Drummers Society,
 - (d) maintain a calendar of events attended and/or scheduled throughout the

- calendar year, and,
- (e) inform band members of upcoming events.
- Section 6. The responsibilities of the Quartermaster are,
- (a) primary responsibility for the accounting of all band equipment and uniforms to the executive of the Cowichan Pipers and Drummers Society,
 - (b) maintain a record of equipment and uniforms issued to individual band members or other individuals and/or organizations,
 - (c) ensure all individuals receiving equipment and/or uniforms have accepted responsibility for the proper care and maintenance of those items by signed declaration,
 - (d) audit all equipment and uniforms owned by the Cowichan Pipers and Drummers Society once yearly, prior to the annual general meeting of the society, or at any other time as required by the executive of the Cowichan Pipers and Drummers Society,
 - (e) ensure that band equipment or uniforms loaned to another organization and/or non-member was approved in writing by the executive of the Cowichan Pipers and Drummers Society,
 - (f) forward all requests for the purchase or repair of band equipment to the Executive of the Cowichan Pipers and Drummers Society, and,
 - (g) ensure all requests for the purchase or repair of band equipment or Uniforms was authorized by,
 - (i) the Pipe Major for bagpipe equipment and/or parts,
 - (ii) the Drum Sergeant for drum equipment and/or parts,
 - (iii) the Drum Major for uniform and/or uniform articles,confirming that a need exists to complete the requisition.

ARTICLE 7 – General Conduct of Members

- Section 1. The individual conduct of any person while representing or acting on behalf of the Cowichan Pipes and Drums is expected to be above reproach. There are circumstances which place individual members in positions of authority such as instructors to underage persons and persons of opposite gender. In these situations the following procedures will apply to any member in a position of authority over an underage member or member of opposite gender;
- (a) instruction will be conducted in an open area or room with the door open,
 - (b) not use or allow the use of profane language,
 - (c) invite parents to attend training sessions at any time,
 - (d) keep parents informed of their Childs' progress,
 - (e) do not leave the training area with an underage member without the prior permission of the students parent,

- (f) ensure a parent accompanies the underage member on any activity outside normal band practice sessions, or the parent provides **written** permission of another **adult, over the age of 25 years**, to accompany the underage member,
- (g) consult the parent(s) if there is any doubt regarding the participation with the band of any underage member,
- (h) inform a band officer, or any other band member (if a band officer is not available) of any questionable conduct by a member in the presence of an underage person or opposite gender,
- (i) band officers who become aware of unacceptable conduct by any band member in the presence of an underage member will immediately intervene to prevent any further misconduct, and inform the parent(s) of the incident, and,
- (j) band officers who become aware of conduct unacceptable to a band member of the opposite gender will intervene on request of the offended member to resolve the incident.

ARTICLE 8 – RECORDS

Section 1. Records and documentation used in the administration of the band shall be in the form authorized by,

- (a) the executive of the Cowichan Pipers and Drummers Society in relation to equipment and uniforms owned by the society,
- (b) the Pipe Major and Drum Major in relation to general operation and instructional requirements.