

BY-LAWS – SOUTH AUSTRALIAN BAND ASSOCIATION

1. GENERAL

- 1.1 These By-Laws are in accordance and consistent with the provisions of the South Australian Band Association (SABA) Constitution. They shall remain in force until such time as they are repealed or otherwise amended at a general meeting of the SABA.
- 1.2 A copy of these By-Laws shall be made available to every member Band.
- 1.3 Any proposed alteration, including deletion or addition, shall firstly be notified to all member bands and delegates at least fourteen (14) days prior to the date of the general meeting at which the motion or motions to resolve such alteration are put to the vote.
- 1.4 Within a reasonable time after the adoption by the SABA of any alteration, a copy will be sent to every member band and to its delegates.
- 1.5 All matters not covered by these By-Laws shall be determined, upon submission or application, by the SABA Executive Committee.
- 1.6 In the conduct of meetings the Chairman will be guided by parliamentary rules of debate.
- 1.7 The Executive Committee shall have the power to create such forms as are necessary for the conduct of SABA business, including but not limited to: Registration Form, Permit Form, Clearance Form, Adjudication Form.
- 1.8 The SABA Executive shall appoint such representatives and/or delegates as it shall be eligible to appoint to represent the SABA at conferences and other meetings of the National Band Council of Australia.

2. CLASSIFICATION OF BANDS

Membership of the South Australian Band Association (SABA)

- 2.1 The SABA Executive Committee may consider an application from any of the following types of bands operating in the State of South Australia for membership of the SABA, classified as any one of:
 - Open Brass Bands
 - Open Concert Bands
 - Junior Brass Bands (including school bands)
 - Junior Concert Bands (including school bands)

2.2 The SABA may classify or re-classify any Band registered with the SABA at any time.

2.3 Application for membership should be made in writing, and include a complete list of member names and signatures and date of birth for registration purposes. This list of players should be submitted on the official SABA registration form.

3. BAND INSTRUMENTATION AND PLAYER NUMBERS

3.1 For the purposes of competition, Brass Bands shall comprise brass and percussion instruments excluding trumpets and French horns.

3.2 For the purposes of competition, Junior Brass Bands playing in junior grades may include any brass instrument (inclusive of trumpets and French horns) and percussion.

3.3 The instrumentalist numbers in a Brass Band in any SABA contest shall not exceed thirty-four (34) instrumentalists plus percussion as indicated by the score.

3.4 By-Law 2.3 shall not apply to Junior Brass Bands, when playing in a Junior Grade, whose instrumentalist numbers shall not exceed forty (40) instrumentalists plus percussion as indicated by the score.

3.5 The minimum number of participants for a Brass Band in a contest shall be 16 instrumentalists plus percussion as indicated in the score.

3.6 The instrumentalist numbers in a Concert Band in any SABA contest shall not exceed seventy (70) instrumentalists plus percussion as indicated by the score.

3.7 The minimum number of participants for a Concert Band in a contest is twenty-four (24) instrumentalists plus percussion as indicated in the score. The Instrumentation of a Concert Band shall be that indicated by the score, but must include woodwind, brass, and percussion instruments.

3.8 Percussion instruments shall be those indicated in the musical score, as supplied to the adjudicator.

3.9 For the purposes of competition, electronic keyboards shall not be used in substitution of an instrument indicated in the music score.

3.10 A Band may change its personnel and instrumentation between pieces during a contest provided that such alterations are made from the list of registered members of that Band, as per the Register (see By-law 7.4).

3.11 No player is permitted to play a different woodwind or brass instrument in a piece of music except where it is specifically indicated by the Composer, on the Music Score, that a player change instrument.

3.12 At SABA Marching Competitions a band is required to march with a minimum of 16 instrumentalists plus Drum Major and Percussion.

4. CONDUCTORS

4.1 "Conductor" shall mean that person nominated as the conductor on a band's Registration List as endorsed by a band's committee and provided to the SABA Secretary. "Conductor" shall mean and include "Music Director", "Musical Director", "Bandmaster" and "Coach".

4.2A Conductor shall not conduct a band in a contest unless registered with that band for a period of at least forty-two (42) days prior to the date of the contest, except by permission of the SABA Executive Committee.

4.3A Conductor may register as a Conductor with more than one band, including with another band of the same classification. A Conductor may also have dual registration as a player.

4.4 If a Conductor becomes unavailable to conduct at a contest, a band may apply to the SABA for permission to use an alternative conductor. In the case of an emergency during a contest, permission may be granted immediately by the Contest Convenor in consultation with the Contest Committee.

5. DRUM MAJORS

5.1 A Drum Major shall not lead a band in a contest unless registered with that band for a period of not less than forty-two (42) days prior to the date of the contest, except by permission of the SABA Executive Committee.

5.2A Drum Major shall not lead a Band in a Contest unless they have been registered with that Band for a period of not less than forty-two (42) days prior to the date of such Contest.

5.3A Drum Major shall not register with more than one (1) Band but may act for one (1) or more Bands provided permission has been obtained from the SABA. A Drum Major may also have dual registration, including with another band of the same classification, as a player.

6. AGE DIVISIONS

- 6.1 In all sections, age shall be as at the date of the commencement of the competition.
- 6.2 A Registered Player may be required to provide a Birth Certificate or Extract or other legal proof of age and/or date of birth.
- 6.3 For the purpose of these By-Laws, a “Junior” is a person who at the date of competition is not yet nineteen (19) years of age.
- 6.4 “Veteran” means a person who at date of the competition is fifty-five (55) years of age or older.
- 6.5 Players of any age may compete in Open competition events.

7. THE SABA STATE BAND CHAMPIONSHIPS

Management

- 7.1 All State Championship contests – solo, party and band – shall be conducted under the South Australian Band Association Inc. By-Laws.
- 7.2 The SABA State Band Championships and the SABA State Solo and Party Championships shall be held once in each calendar year.
- 7.3 State Championships and/or Solo and Party Competitions may be held at such time and place as determined by the SABA Executive.
- 7.4 The SABA Executive may appoint a Contest Convenor to oversee the management and conduct of contests run by the SABA.
- 7.5 The person appointed by the SABA Executive as SABA Contest Convenor shall have the power to convene a meeting of the Contest Committee to address any identified breaches of By-Laws, Contest rules or any other disputed matter.
- 7.6 The Contest Committee shall consist of all available members of the SABA Executive present at the contest, and shall consist of no less than three (3) people. The Contest Committee shall be chaired by the most senior member of the SABA Executive Committee present.
- 7.7 In the context of an official protest being considered, a person competing in an event subject to a protest can only be a member of the Contest Committee if they:
 - Are not a person lodging a protest
 - Do not have an affiliation with a band lodging a protest
 - Are not themselves the subject of the protest

- Do not have an affiliation with a band subject to the protest.

Participants in Band Championships

7.8 Bands permitted to participate in the SABA State Championships or other contest conducted by or held under the patronage of the SABA are:

Bands within the State which have been affiliated with the SABA for forty-two (42) days prior to the date of the contest;

Bands from other States, provided they are affiliated with their State's governing body for the period of registration required by that governing body.

7.9 Final registration coupons for all contests must be in the hands of the SABA Secretary on or before the date specified in the Contest Information Package.

7.10 A band may only compete in its registered classification i.e. Brass or Concert. Refer to By-law 2.1

State Championships – General

7.11 The Championship for each grade of Brass and Concert Bands, including Junior Bands, shall consist of a selection of works as determined by the SABA.

7.12 The responsibility for the selection and/or approval of all music at contests shall be a matter for the SABA Music Advisory Board (MAB) as appointed by the SABA Executive Committee.

7.13 Each band shall, where required, forward to the SABA Secretary competition full scores of all selections by the date outlined in the Contest Information Package. Solo cornet parts may be accepted for marching competitions unless otherwise requested on the conditions of the contest. Forwarded scores (or solo cornet parts) must be of good quality, properly fastened, cuts clearly marked, bars numbered and with no identifying marks. "Identifying marks" shall be taken as including conductor's coaching comments.

7.14 All items shall be optional. However, a band cannot win the Championship in a grade if it does not perform all items.

7.15 The band gaining the highest aggregate points shall be the On-Stage State Champion Band.

7.16 State Championship certificates shall be awarded to each of the band grade winners, and bands placing first, second, and third in each music component of the Championships.

7.17 In all grades, the State Championship shall be awarded to the band gaining the highest number of aggregate points in the on-stage program, as specified under by-law 7.11. In the event that two (2) or more bands obtain the same number of aggregate points for the first prize, the trophy or trophies shall be awarded to the band gaining the highest number of points in the Test or, in the event of there not being a Test, Own Choice Major Work.

7.18 All perpetual trophies held by bands pertaining to any particular contest must be returned to the Association Secretary 42 days prior to the date of the contest.

Music Restrictions

7.19 A band may not play, as its Own Choice Selection at a contest, any selection that has been set as a Test at that contest, including for other grades.

7.20 No band playing in more than one grade at any contest shall be permitted to play any item more than once at such contest, except where a junior band may be permitted to play their Own Choice selection in a senior grade.

7.21 A senior band winning an item in a State or National contest shall not, after a period of three (3) months from the date of such contest, play the same music at any succeeding contest as an own choice selection until after the expiration of two (2) years from the date of such contest.

7.22 A junior band winning an item in a State or National contest shall not, after a period of six (6) months from the date of such contest, play the same music at any succeeding contest as an own choice selection until after the expiration of two (2) years from the date of such contest.

Playing Order and Draw

7.23 The draw for all band events shall be made prior to the contest by at least two (2) members of the SABA Executive Committee as soon as practical after the close of entries.

7.24 Regardless of their playing position, as determined by the draw, each band is expected to accept their playing position and not request a preferred position.

Marching Championships

- 7.25 The Marching Championships shall consist of a Parade of Bands (Street March) with Inspection for each open Brass Band Grade and a single Open Concert Band grade.
- 7.26 A condition of entry for the Open A, B, C and D Grade Championships for Brass Bands is that the entrant must participate in the Parade of Bands, to promote the Championships, where advised by the SABA.
- 7.27 The Band gaining the highest aggregate points in each grade will be the Champion Marching Band in that grade. In the event of two (2) or more bands in the Parade of Bands obtaining the same number of points for 1st prize, the trophy or trophies shall be awarded to the Band gaining the highest number of points in drill and inspection.

Management of Contests

- 7.28 During a contest, no competing band or band member shall be allowed to practice or play in any building or grounds within hearing range of the contest venue.
- 7.29 Bands shall hold themselves in readiness for competition at the time and place appointed, and as per any direction from the Contest Convenor, and shall adhere to the official programme timetable.
- 7.30 No event shall commence prior to the advertised time in the program.
- 7.31 All Band members shall appear in the on-stage uniform of the band with which they are registered, but in a Champion of Champions event may instead elect to appear in formal concert attire. See By-Law 8.29.
- 7.32 Immediately prior to the commencement of the contest performance, the participating members of each competing band shall sign the Contest Registration Form confirming that each player is a registered member of their band.
- 7.33 All bands entering this competition must comply with Commonwealth laws regarding Copyright. The SABA will not be held responsible for any breaches by bands entering this event.

- 7.34 All competitors entering this event do so in a spirit of friendly competition. Entries are accepted on the condition that no result shall become the subject of an appeal at law.
- 7.35 Any Band or individual found to have disregarded or violated contest rules as outlined in the Contest Information Pack shall be liable to disqualification from the contest where the violation occurred along with the removal of any Championship awards received as a result of this action as may be determined by the SABA Executive Committee and/or the Contest Committee.
- 7.36 The payment of fees to players in any contesting band shall render that Band liable to disqualification, fine or suspension from the SABA.
- 7.37 No competing Band or individual shall be allowed to practice or play in any building or grounds within hearing of the Contest building or grounds while the Contest is proceeding. "While the Contest is proceeding" shall mean from the first performance to the last performance. This is to include all buildings and ovals being used for the Contest performances with the exception of any officially designated warm-up room/hall.

8. REGISTRATION

Registration of Players and Bands

- 8.1 The SABA Registrar must ensure that an accurate register is kept of the playing personnel of each South Australian Band qualified to compete at contests administered by the SABA, the National Band Council of Australia (NBCA), or interstate contests operated by other state band associations.
- 8.2 The version currently in the possession of the SABA Registrar will be considered the official register. For the purposes of the remaining by-laws this document will be referred to as the "Register".
- 8.3 A band is qualified for entry in the Register if it is a band which is formed by a band organisation that is an ordinary member of the SABA. There is no limit to the number of bands which each affiliated band organisation may register for contesting purposes, but each band organisation can register a player with only one (1) of its contesting bands.
- 8.4 All bands, and individuals through their bands, are required to make application for registration on a yearly basis on the SABA Registration Form to be submitted to the Secretary. See By-Law 2.3.

8.5 Registered players who do not have their names included on their band's returned annual listing of registered players shall be flagged on the Register as 'inactive' for a period of two years before being removed from the Register.

8.6 The SABA will not enter a player into the Register where it is satisfied that this player is registered as a player in another Australian State in the same band category. A player who is a registered player in an overseas band may, however, be entered into the Register.

Number of Bands and categories for an individual player

8.7 A player may be registered with up to: one (1) brass band and one (1) concert band at any one time. In addition, Junior players may be registered with a Junior Brass and Junior Concert band, which may include a school band providing the player is a bona fide student enrolled at that school.

8.8 No player shall be registered with more than one (1) Band in the same classification as defined in By-Law 2.1.

8.9 Brass Band instrumentalists and percussionists may have dual registration with a Concert Band and vice versa.

Information required for registration

8.10 The Register will list all South Australian bands currently qualified to compete at contests administered by the SABA. The following details about the players must appear in the Register:

- The name of the band with which the player is registered;
- The full name of the player;
- The date of birth of the player; and
- Declaration of compliance with By-law 11.6.

Multiple Bands

8.11 Where a band organisation has sufficient junior playing members to form a Junior Band these members are allowed to compete as a Junior Band in a Junior Band Contest as well as being playing members of their own Senior Band for Contest purposes, their date of birth to be shown on the registration declaration sheet of the Senior Band.

8.12 Once the Band enters two bands from the one membership under this Regulation, each band is considered to hold its own identity and each player may play a different instrument in each band.

Registration Timings

8.13 Each playing member must be registered with his or her Band for at least forty-two (42) days prior to the date of any Contest.

8.14 A person joining a band as a player, whether as a new registration or by transfer, must remain with that band for at least six (6) months. They shall not be permitted to register with any band they were previously registered with, unless approved by the SABA due to exceptional circumstances, until the expiry of a period of eighteen (18) months from the date of their last registration with that band.

8.15 Transfers shall not be allowed to competing bands within forty-two (42) days of a contest.

School Bands

8.16 School Bands shall be wholly constituted of students of one particular school and be known as the _____ School Band and will be required to register with the Association. Where a definite affiliation between two schools can be proven to the satisfaction of the SABA Executive Committee, then these schools are accepted as a singular entity for the purpose of banding.

8.17 When a school band enters an Association contest the Principal of the school, or a delegate thereof, shall sign a declaration certifying that each registered member is a pupil attending that school.

8.18 New student members registering with school bands (only) during the year shall be eligible for immediate competition.

General

8.19 All new Registrations and/or Transfers of Registration, other than those listed on the SABA Registration Form, are to be accompanied by a fee, this fee to be set and/or adjusted annually by the SABA Executive Committee.

Clearances

- 8.20 Any player may request a Clearance from one band to another band in the same category at any time. This Clearance can be effective within South Australia and/or interstate.
- 8.21 Application for Clearance from one band to another band within the currency of registration shall be made on the official SABA Clearance Form. All sections of the must be completed by the transferring player, representatives of both bands involved in the transfer, and the SABA Registrar.
- 8.22 Once a player has transferred registration between bands they cannot be transferred back for eighteen (18) months from the date of transfer.
- 8.23 The SABA will not permit any player to be registered with any new member Band unless that player has provided a clearance from the Band with which the player was last registered.
- 8.24 The applicable Clearance Fee will be paid to the SABA by the transferring player's new band.

Permits

- 8.25 Applications for Permit Players at a Band Contest or Competition shall be made in writing, on the official SABA Permit form, to the SABA not later than fourteen (14) days prior to the commencing date of any Contest.
- 8.26 A Permit Player must be a bona fide registered playing member of a band that is affiliated to their State or National Governing body and shall be allowed to play an alternative instrument to the one normally played with their own band.
- 8.27 The maximum number of Permits for instrumentalists to any Brass Band shall be two (2) and to any Concert Band shall be four (4). Bands shall be granted Permits for percussion players as required by the score.
- 8.28 The SABA will not grant any Permit unless written permission from the Band with which the player is registered has been given, by way of completing that section of the Permit form.
- 8.29 All Permit Players shall play in the uniform of the Band with which they are registered or the band with which they are a Permit Player.
- 8.30 Emergency Permits may be granted by the Contest Committee, by application through the Contest Convenor, at any time from the closing date for Permit applications up to and including the day of competition. These Emergency Permits may be as the result of medical incapacity, extenuating family reasons or occupational reasons.

8.31 Any application must be made in writing and be accompanied by a duly signed statutory declaration by the Conductor and one other responsible office bearer of the band. The statutory declaration must clearly state the reasons for the application and that the application is made due to a sudden unexpected and unforeseen medical or the like emergency which has arisen after the closing date for allowable permits.

8.32 The application must be accompanied by a Medical Certificate and/or any other documentation relevant and necessary to support the application. The emergency permit must play the same instrument as the player being replaced. The player being replaced must take no further part in the competition, in any capacity.

8.33 An emergency permit player must be a registered player of another SABA affiliated band, or an interstate association affiliated band, or the nominated conductor of another affiliated band.

Deregistration

8.34 A member band may deregister a playing member at any time by advising the SABA in writing that the playing member is to be deregistered and that the playing member has no obligation, material or otherwise to the member band.

8.35 Subject to the SABA By-Laws and NBCA Regulations, any playing member deregistered by a member band may be eligible for registration with another member band of the SABA, or the member band that deregistered the playing member. The member band shall advise the SABA as for a new registration.

8.36 Any Band or individual financially in arrears or found to have disregarded or violated the Constitution or By-laws of the SABA or to have in any other way brought the SABA or wider movement into disrepute shall be liable to expulsion, suspension or other penalty as may be determined by the SABA Executive Committee

9. GRADING OF BANDS

9.1 Any band must perform in the grade in which it has been graded at any contest unless consent has been received in writing from the SABA Executive Committee prior to the close of entries for that contest.

9.2 Band gradings shall be monitored on a regular basis by the Music Advisory Board.

9.3 Bands may request a change of grading by submitting a proposal, detailing their case to the SABA Executive Committee which in turn will refer this request to the Music Advisory Board (MAB) for recommendation. This change of grading will however not be effective until endorsed by the SABA Executive Committee.

9.4 The SABA may instigate a change of grading at any time on the advice of the MAB. The SABA Executive Committee reserves the right to regrade bands at any time, as required.

Bands Playing in a Higher Grade

9.5. A Band wishing to compete in a grade higher than their official Grading must also enter and compete in its own Grade at that contest.

10. MUSIC ADVISORY BOARD (MAB)

10.1 The SABA Executive Committee is responsible for convening a Music Advisory Board (MAB). This will be a panel of people with extensive expertise in brass and concert band music and performance. The purpose of the MAB is to act as a consultative and advisory body for the SABA Executive Committee in relation to any music issues referred to it by that committee.

10.2 The MAB is free to make suggestions and recommendations to the SABA Executive Committee about any music or performance related matter which it believes to be important. The SABA Executive Committee retains the final authority on these matters, but must give due consideration to issues commented on and raised by the MAB.

10.3 The MAB shall be comprised of:

- The President of the South Australian Band Association Inc (SABA) as ex officio member, and
- The SABA Contest Convenor, as appointed by the SABA Executive committee
- At least three (3) persons representing Brass and Concert Bands appointed by the SABA Executive Committee after the first meeting of the new calendar year

Duties and Functions of the Music Advisory Board

10.4 The MAB shall meet as required, although most communication will be by email initiated by the SABA President or delegate thereof.

10.5 The MAB as a sub-committee of SABA shall deliver a report of its activities to the SABA Executive Committee after any meeting.

- 10.6 The MAB is to recommend the format and any set Test music for Band and Solo Contests as required on the request of the SABA Executive Committee.
- 10.7 The MAB shall assist in training workshops/seminars/schools/camps etc for interested musicians for the improvement of musical standards and skills of all member bands and musicians of the SABA when requested by the SABA Executive Committee.
- 10.8 The MAB shall be responsible for recommending the appointment of Adjudicators to the SABA Executive Committee.
- 10.9 The MAB shall monitor the grading of bands and, where considered necessary, recommend promotion or relegation of bands according to the standards attained.
- 10.10 Any member of the MAB not already a member of the SABA Executive Committee may represent the MAB at meetings of the SABA Executive Committee but shall not have the right to vote or enter into any discussion except on such matters affecting the MAB.
- 10.11 All members of the MAB are eligible to be appointed as music adjudicators where their band (where applicable) is not competing.
- 10.12 At meetings of the MAB, the SABA President may only exercise a casting vote if required.

11. DRILL ADVISORY BOARD (DAB)

- 11.1 The SABA Executive is responsible for convening a Drill Advisory Board (DAB). The purpose of the DAB is to act as a consultative and advisory body for the SABA Executive Committee in relation to any drill and marching issues referred to it by that committee.
- 11.2 The DAB is free to make suggestions and recommendations to the SABA Executive Committee about any drill or marching related matter which it believes to be important. The SABA Executive Committee retains the final authority on these matters, but must give due consideration to issues commented on and raised by the DAB.
- 11.3 The DAB shall be comprised of:

- The President of the South Australian Band Association Inc (SABA) as ex officio member, and
- A senior adjudicator or experienced practitioner who shall be on the DAB to maintain continuity and to dispense his knowledge of Drill
- At least three (3) appropriately qualified persons appointed by the SABA Executive Committee after the first meeting of the new calendar year

Duties and Functions of the Drill Advisory Board

11.4 The DAB shall meet as required and at least once per year on a date to be decided by DAB members. DAB members and/or bands shall forward proposed agenda items to the SABA Secretary twenty-eight (28) days prior to the date of the meeting. The SABA Secretary shall then forward all agenda items received to the SABA President and all other DAB members at least fourteen (14) days prior to the date of the meeting.

11.5 The DAB as a sub-committee of SABA shall deliver a report of its activities to the SABA Executive Committee after any meeting.

11.6 The DAB is to recommend the format for any marching events at SABA Band Contests as required on the request of the SABA Executive Committee.

11.7 The DAB shall assist in training workshops and seminars for interested Drum Majors and Bands when requested by the SABA Executive Committee.

11.8 The DAB shall be responsible for recommending the appointment of Drill Adjudicators to the SABA Executive Committee, and also for testing with written and practical examinations any prospective drill adjudicators.

11.9 Any member of the DAB not already a member of the SABA Executive Committee may represent the DAB at meetings of the SABA Executive Committee but shall not have the right to vote or enter into any discussion except on such matters affecting the DAB.

11.10 All members of the DAB are eligible to be appointed as drill adjudicators at any contest where their band is not competing.

11.11 At meetings of the DAB, the SABA President may only exercise a casting vote if required.

12. ADJUDICATORS

General

- 12.1 Any person(s) appointed by the SABA Executive as Adjudicator(s) shall adjudicate within the constitution and By-Laws of the SABA.
- 12.2 The SABA will maintain a list of adjudicators resident in South Australia who may be invited to adjudicate at any Contest. Any applications for inclusion on this list will be considered by the MAB.
- 12.3 The appointment of adjudicators, both music and drill, shall be the sole prerogative of the SABA Executive Committee following recommendations from the MAB and DAB.

Contest Adjudication

- 12.4 Adjudicators must in all contests, including those at which bands of more than one (1) grade are competing, judge all bands from the same standard.
- 12.5 Music adjudicators shall allocate points at the conclusion of each session and before the succeeding session. They shall enter the number of points on the SABA Adjudication form. Adjudicators shall record the total number of points in both figures and words.
- 12.6 Music adjudicators may have the use of a writer or recording technician to record their comments and an assistant as may appointed by the Contest Convenor but, apart from these, no other person may be seated with the adjudicator during the contest.
- 12.7 No signal, by any means whatever, shall be given immediately before, during or after any selection and no one, other than the contest supervisor, writer or adjudicator's assistant appointed or approved by the supervisor, shall be permitted to communicate with the adjudicator whilst the section of the contest in which the adjudicator is concerned is proceeding or until such time that the results of the section of the contest in which the adjudicator is concerned have been handed to the contest supervisor.
- 12.8 Tuning or the playing of any notes on stage before the beginning of programmes or between pieces is strictly prohibited.
- 12.9 In Solo and Party events, and in Band events in relation to each performance of individual sections that make up an aggregate score, the Adjudicator will not award the same number of points in first (1st), second (2nd) or third (3rd) place to two (2) or more competitors.

15. DISPUTES

General

15.1 At any SABA contest, a protest against a band may be lodged by the conductor, drum major or secretary of a band competing in the same section. A protest against a soloist or party may be lodged by a soloist or a conductor of a party event competing in the same section or, in the case of a junior section, a representative of that soloist or conductor.

15.2 Any protest must be lodged with the Contest Convenor not later than 15 minutes after the results of the section have been announced. The person protesting shall state clearly the grounds for the protest. A Notice of Protest must include the name of the party lodging the protest, the name of the party protested against and a brief explanation of the nature of the protest. It is not necessary to cite the exact rule(s) or By-Law number(s) in a Notice of Protest.

What can be protested about?

15.3 A protest can only be a claim that a competitor in an event is either not qualified to compete in that event, as a result of the contest rules or of these By-Laws; or that a competitor in an event has breached contest rule/s or one of these By-Laws. A protest relating to any matter not expressly dealt with in those contest rules or in these By-Laws must not be considered by the Contest Committee.

Lodging protests

15.4 A protest can only be lodged after the end of any event to which it relates. No protests can be made to the Protest Committee before an event.

Protest Fees

15.5 Protest fees payable by a party lodging a protest shall be -

- For a protest lodged against a Band \$100
- For a protest lodged against a Party or Soloist \$20

15.5 Should the protest Committee declare any protest unwarranted, it may order the whole or any portion of such fee be forfeited and fees so forfeited shall become the property of the SABA.

Deciding a Protest

- 15.6 Once a protest is lodged, a Contest Committee must be convened to deal with the matter as soon as is practicable on that day. It is the responsibility of the SABA Contest Convenor to convene the Contest Committee and to make known its decisions.
- 15.7 The Contest Committee will determine the protest in a closed meeting. During this meeting both the person lodging the protest and representatives of those protested against will be invited to explain their cases to the committee. The Contest Committee will then make its decision in the absence of these representatives.
- 15.8 In the case of a solo protest, the representatives will include the person lodging the protest and any one (1) other person they may wish to nominate. The same condition applies to any solo competitor subject to protest.
- 15.9 In the case of a band event, the representatives will include any two (2) people nominated by the band lodging the protest. The same condition applies to any band protested about.
- 15.10 In addition to the submission made by the representatives listed above, the Contest Committee may inform itself about the matter in any way it considers necessary to fairly and efficiently deal with the protest.
- 15.11 When considering a protest, the Contest Committee shall deal with the facts only and the Contest Convenor shall be responsible for interpretation and application of Contest Rules and SABA By-Laws.

Results of a protest

- 15.12 The decision of the Contest Committee shall be final and conclusive and shall not be subject to appeal or reconsideration. All bands/parties/soloists that have entered for a contest shall be deemed to have had notice of this and other contest rules and conditions and be bound by all contest rules and conditions.
- 15.13 When a Band, Party or Soloist has been disqualified, the prize or prizes gained by such Band, Party or Soloist shall be awarded to the next in order of merit. Where applicable, prizes to other bands, parties or soloists placing below.

15.14 Should a trophy be awarded before the expiration of the fifteen (15) minutes allowed after the award has been announced and a protest subsequently upheld, the recipient must return to the Contest Convenor such trophy which has been awarded.