

CCSMBA INFORMATION PACK SECTION 3

CONSTITUTION (Last Revised 2022)

1 TITLE, OBJECTS AND AFFILIATION

1.1 Title

- 1.1.1 The title shall be Cornwall County Short Mat Bowling Association (CCSMBA), hereinafter referred to as 'the Association'.

1.2 Objects

- 1.2.1 To promote, foster and administer in Cornwall the game of short mat bowls played under English Short Mat Bowling Association (ESMBA) rules and laws.
- 1.2.2 To organise Cornwall County championships and other competitions.
- 1.2.3 To arrange inter-county and other competitions.
- 1.2.4 To interpret as required questions relating to ESMBA rules, laws and practices and give rulings on such matters.
- 1.2.5 To act at all times in the best interests of the game, the affiliated clubs and the individual members of the Association.
- 1.2.6 To promote a safe environment in which children and vulnerable adults can enjoy taking part in a game of bowls by following and promoting the principles of the joint 'Protecting Children and the Vulnerable' policy issued by the English Bowls National Governing Bodies (NGBs).

1.3 Affiliations and membership

- 1.3.1 The Association shall be affiliated to the ESMBA.
- 1.3.2 Affiliation to the Association shall be open to any short mat bowling club in the county of Cornwall which satisfies the requirements specified in this Constitution.
- 1.3.3 The individual members of affiliated clubs taking part in competitions run by the Association or the ESMBA must themselves be affiliated to the Association and the ESMBA.
- 1.3.4 The Association shall maintain a register of names and addresses of affiliated clubs and the names of their affiliated members. Only affiliated players may take part in county or ESMBA competitions.
- 1.3.5 The Association may elect honorary or life members in recognition of special services to the game.

2 FEES AND SUBSCRIPTIONS

- 2.1 A club registering with the Association shall pay an affiliation fee on joining and thereafter annually. The amount of such fee shall be determined by the Annual General Meeting (AGM).
- 2.2 Players registering with the Association shall pay an affiliation fee on joining and thereafter annually. The amount of the fee due to the CCSMBA shall be determined each year by the AGM. The affiliation fee due to the ESMBA shall automatically be added to the CCSMBA fee each year.
- 2.3 The ESMBA membership year runs from 1st September to 31st August annually. The CCSMBA will pay the additional ESMBA fee for any new members joining the CCSMBA between 1st May and 31st August to ensure that they are entitled to all benefits of ESMBA membership benefits for the full duration of membership of the CCSMBA.
- 2.4 The annual affiliation fees of clubs and players and league team entry fees shall be due to the Association on 1 May each year and must be paid by 31 May. All rights and privileges of affiliated membership shall be suspended until such fees are paid. Failure of clubs to register and to affiliate at least 8 members per team by 31 May shall result in exclusion from the County League.
- 2.5 The Management Committee shall determine the amount of entry fees for all County competitions and such fees shall include any amounts due to the ESMBA in respect of such entries. Entry fees paid shall not be returnable.

3 FINANCES

- 3.1 The financial year of the Association shall be from the 1st February to the 31st January in the following year.
- 3.2 All monies collected shall be passed to the Treasurer (or deputed committee member) for deposit in a bank account in the name of the Association.
- 3.3 Cheques drawn on the Association account shall be signed by two Officers of the Association, one of whom must be either the Treasurer or the Chairman.
- 3.4 On dissolution of the Association, any surplus of monies and equipment held by the Association will

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be distributed to a likeminded organisation(s) as deemed appropriate by the Management Committee.

4 ADMINISTRATION AND STRUCTURE

- 4.1 For the purposes of administration, the County shall be divided into 4 areas which shall be called the Central, East, North and West Areas. The boundaries of each area are taken from the former District Council boundaries. Central – Carrick & Restormel, East – Caradon, North – North Cornwall and West – Penwith & Kerrier. These boundaries will apply to new clubs joining the Association from 1st May 2017. Should an existing club change venue, the Management Committee reserves the right to change that club's Area based on the above boundaries.
- 4.2 The administration of the Association shall be undertaken by a Management Committee (hereinafter called 'the Committee') appointed at the Annual General Meeting (AGM) or at a Special General Meeting (SGM) called for such purpose. The members of the Committee shall comprise the Officers and Committee Members described in paragraph 4.3 plus one Area Representative from each Area. All members of the Committee shall hold office from the conclusion of the AGM or SGM at which they are appointed until the conclusion of the following AGM. All Committee positions shall be honorary. Every nominee for the Committee at the AGM shall be an affiliated member of a club registered with the Association.
- 4.2.1 The four Officers of the Association elected annually at the AGM are the Chair, Vice Chair, Secretary and Treasurer. The other Committee Members elected are the Competition Secretary, Assistant Competition Secretary, Membership Secretary, County Team Manager, Social Secretary, County Safeguarding Officer and Press and Promotions Officer. In the event of there being no nominations for a position on the Committee, a member may stand for a second position. However, no person may hold more than one of the four Officer positions at one time. The Committee shall have the power to fill by co-option any vacancy occurring during the year. The Committee shall also have the power to create additional Committee positions during the year and to fill any such position by co-option, but all such additions must be ratified at the following AGM. Any co-opted person shall have full voting rights on the Committee provided they are affiliated members of the Association. Any Officer or Committee Member may seek re-election.
- 4.3 Area Committees comprising one or two members (only one of whom may vote) from each club in the Areas shall be formed for the purposes of acting as a liaison between the clubs and the Management Committee and organising competitions in the Areas when such function has been delegated to them by the Management Committee. Each Area Committee at their last meeting prior to the AGM shall elect their Area Representative to be appointed to the Management Committee at the AGM and to chair their Area Committee for the following year. Should a vacancy occur during the course of a year, the Area Committee shall meet to elect a new Area Representative.
- 4.5 The Committee shall meet as often as the business of the Association requires, but not less than three times annually, excluding general meetings. A special Committee meeting may be called at not less than 21 days notice at the request of not less than 5 Committee members to discuss one or more specified issues. At this meeting no other business shall be discussed.
- 4.4 A quorum of the Committee shall comprise six voting members, at least two of whom must be Officers. The number of Area Representatives may not exceed the total number of Officers and other Committee Members.
- 4.6 Each member of the Committee shall have one vote excepting the Chairman who shall have a second or casting vote if required.
- 4.7 The Committee shall have the power to appoint sub committees from among their number to look into specific matters and present recommendations to the full Committee.

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4.10 The Committee may nominate, and recommend for the approval of the AGM, any person to serve as President, or a Vice President, of the Association.

4.11 The Committee shall ensure that **DBS checks** are undertaken for Officers who fulfil the roles of County Safeguarding Officer, Competition Secretary, Assistant Competition Secretary and County Team Manager, as designated by ESMBA policy.

5 GENERAL MEETINGS

5.1 The AGM shall be held in the month of April each year wherever possible. Should a date in April not be available due to clashes with ESMBA and/or international competitions significantly affecting committee member attendance, the AGM shall be held on a suitable date as close to April as possible.

5.2 The business of the AGM shall include:

- a) Presentation of reports by the Chairman and Secretary
- b) Presentation of accounts for the previous financial year by the Treasurer
- c) Election of Officers and Committee Member positions for which nominations have been received
- d) Election of Officers and Committee Member positions for which nominations have not been received in advance
- e) Appointment of Area Representatives
- f) Determination of subscriptions and other fees for the following year
- g) Consideration of any motion or amendment to the Constitution for which the required notice has been given
- h) The appointment of an **Independent Financial Examiner**.

5.3 The AGM shall be open to all but only 2 affiliated members from each club may vote. Each Committee member may vote (providing they are an affiliated member of the Association) but may not also vote on behalf of his/her club. The Chairman shall have an additional casting vote if necessary. A simple majority rule shall apply to all business requiring voting sanction. Proxy voting shall not be allowed and only votes cast at the meeting shall count.

5.4 The Committee or any registered club or individual affiliated member may submit to the AGM a motion or amendment to the Constitution for consideration.

5.5 The AGM timetable shall be as follows.

- a) Motions or amendments to the Constitution from any legitimate source (see 5.4) shall be submitted in writing to the Secretary by 31 January.
- b) The Committee shall meet no less than 28 days prior to the AGM and include on the agenda determination of their own and any other legitimate motion or amendment to the Constitution for presentation at the forthcoming AGM.
- c) The Secretary shall send out to clubs no less than 28 days prior to the AGM, notification of the date of the AGM together with an agenda, a copy of the accounts up to the 31 January, details of any proposed motion or amendment to the Constitution and forms for the nomination of Officers and Committee Members, the latter to be returned to him by 10 days before the AGM.
- d) The new Committee shall meet not later than 3 weeks after the AGM to ensure that the business of the Association, (including the programme, formation of the County Squad and venue bookings) is in hand for the proceeding year.
- e) The Secretary shall send out to clubs the minutes of the previous AGM as soon as these have been seen by the new Committee at their first meeting of the year.

5.6 If no valid nominations for any position on the Committee have been submitted by the due date, then nominations from the floor of the AGM shall be accepted on the day providing that the nominees are present and agree to serve.

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- 5.7 No new or amended motions or amendments to the Constitution shall be accepted from the floor at the AGM.
- 5.8 A Special General Meeting (SGM) may be called at 21 days notice at any time by the Committee. An SGM must also be called by the Secretary within 21 days of the receipt by him in writing of a request for such a meeting supported by at least 25% of the affiliated clubs. The notice for such a meeting must state the purpose of the meeting and any motion which is to be discussed. No other business shall be transacted at such a meeting. The voting provisions of 5.3 shall apply at any such meeting.
- 5.9 At all General Meetings at least 10% of registered clubs must be represented to form a quorum. In the absence of a quorum within 30 minutes after the time for which the meeting is called, it shall be adjourned until such other day, time and place as the Committee shall determine.

6 AFFILIATION ARRANGEMENTS

- 6.1 A player of any age and regardless of any disability may register as an affiliated member of the Association. Under ESMBA rules individual players may register through one club only. However, a player may move his/her affiliation to a different club at any time. If this is done during a current season, **the** player must, from the date of notification cease to play for the original club in any County leagues or competitions and will not be eligible to play for the new club until **28 days** after the date of notification.
- 6.2 Affiliation to the Association shall be open to any Short Mat Bowling Club situated in the County of Cornwall whose constitution meets the requirements of the Association and whose playing equipment conforms to the specifications laid down by the ESMBA. Each club must lodge a copy of its constitution and any subsequent revisions with the Membership Secretary.
- 6.3 Application by clubs for affiliation to the Association shall be made to the Membership Secretary on the prescribed Application Form.
- 6.4 Affiliated clubs shall be required to forward to the Membership Secretary of the Association annually a list of their affiliated members showing their full names, **gender and dates of birth** together with the total fees due, and will in return be issued with a registration card and personal registration number for each member.
- 6.5 Affiliated clubs shall provide evidence of having appropriate liability insurance and confirm details of responsible person(s) for Safeguarding matters.**
- 6.6** Clubs using municipal or community playing equipment must possess written approval from the appropriate authority for it to be used for competition purposes. Clubs sharing accommodation must have a written understanding of the arrangements for their respective use of the accommodation.

7 POWERS OF THE COMMITTEE

- 7.1 The Committee shall have the power to interpret the Constitution of the Association and deal with all matters not specifically provided therein.
- 7.2 In the event of unforeseen circumstances, the Committee shall be empowered to act as an emergency committee and take whatever action is deemed appropriate. All decisions of the emergency committee shall be immediately notified to all Club Secretaries in the Association.
- 7.3 The Committee shall have the power to set Rules and Conditions of Play for all competitions run by the Association.
- 7.4 The Committee shall be empowered to adjudicate on any dispute with regard to the Constitution or Rules and Conditions of Play of the Association. All such disputes referred to the Association shall be determined by the Committee whose decision shall be final.

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- 7.5 The Committee shall have power to take disciplinary action against any affiliated member or club who is found by the Committee, at a hearing at which the member or club is represented, to be in breach of the Constitution or the Rules and Conditions of Play set by the Association, or to have acted knowingly and avoidably in a manner contrary to the best interests of the Association, its members or any one or number of them, or in a way likely to bring the game into disrepute. Such disciplinary action may take the form of suspension or cancellation of membership, or disqualification from County competitions for a stated period.
- 7.6 The subject of any appeal against disciplinary action must be given in writing to the Secretary of the Association who shall call a meeting of the Committee for the settlement of the matter, calling on such parties deemed to be necessary to assist in the consideration of the appeal.