

# Calne Bowls Club

## Constitution

November  
2018

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- 1.1 The name of the Club shall be CALNE BOWLS CLUB, hereinafter referred to within this constitution as the "Club"
- 1.2 The Club shall be affiliated to Bowls England and Bowls Wiltshire
- 1.3 The objectives of the Club are to provide facilities for, and to promote participation in, the amateur sport of outdoor flat green bowls in Calne and surrounding area
- 1.4 The Club shall adopt and conform to Bowls England Rules and Regulations and the current Laws of the Sport of Bowls

## **Section 2: Officers of the Club**

- 2.1 The officers of the Club shall be full members of the Club and shall be elected at the Annual General Meeting or Section Meeting and shall hold office for the period of election, retiring at the end of the period of election. All officers of the Club shall be eligible for re-election to the same office or another office at the end of their current period of election.

Officers of the Executive Management Committee, the Men's Section Committee and the Ladies' Section Committees may only be removed from office by a vote of the respective members at an EGM. However, in exceptional circumstances the individual committees may need to take appropriate and extraordinary action. If this member holds a position on the Executive Management Committee then this Committee will make the deciding decision.

- 2.1.1 Management Executive Committee

There may be a need to increase the size of the Executive Committee commensurate with the number of Members.

Chair: Secretary: Treasurer: Development Officer: Club Captain\*: Men's or Ladies' Captain\*: Building & Maintenance Manager: Ladies' Secretary: Green Keeper

\*The Club Captain will be chosen/voted in from either the Men's or Ladies' Captains

- 2.1.2 Other Positions

President\*: Bowls Wiltshire Executive Member: Membership Secretary: Internal Competition Secretary: Fixture Secretary: Monday Mixed Captain: Welfare Officer: Club Coach: Web Master:

\*President shall serve a term of one year and will alternate between Men/Ladies.

- 2.1.3 Men's Section Committee

Men's Captain: Men's Secretary: Men's External Competition Secretary: Mid Wilts Triples Captain: West Wilts League Representative: Tuesday Afternoon Captain (s):

#### 2.1.4 Ladies' Section Committee

Ladies' Captain: Ladies' Secretary: Ladies' Fixture Secretary: Ladies' External Competition Secretary:

#### 2.1.5 Sub Committees

These will be appointed by the Management Executive Committee as and when required

### **Section 3: Membership**

#### 3.1 Categories and votes of Membership

##### 3.1.1 There shall be the following categories of membership with power to vote at all relevant meetings of the Club as indicated hereunder.

a) A FULL MEMBER – being a person who, at the date of election, shall have attained the age of eighteen years shall have one vote

b) A JUNIOR MEMBER – being a person who, at the date of election, is under the age of eighteen shall have no vote

c) AN HONORARY/LIFE MEMBER – who shall have no vote

d) CASUAL MEMBER – who shall have no vote

e) A SOCIAL MEMBER – who shall have no vote

#### 3.2 Rights and privileges of members

##### 3.2.1 The rights and privileges of each category of membership shall be as follows:

a) A FULL MEMBER shall have the full use of all Club facilities. Affiliation Fees shall be payable to Bowls Wiltshire and Bowls England

b) A JUNIOR MEMBER shall have the full use of all Club facilities accompanied by an adult member. Affiliation Fees shall be payable to Bowls Wiltshire and Bowls England

c) AN HONORARY/LIFE MEMBER shall have the full use of all the Club facilities.

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d) CASUAL MEMBER shall have full use of all club facilities providing they have paid their membership fee, shall be allowed to bowl on a Tuesday evening and take part in up to three "Friendlies" per year but shall take no part in League games or club competitions except for the first year Novice competition.

e) A SOCIAL MEMBER shall have the full use of the Club house facilities

### 3.3 Membership Subscription Fee

3.3.1 The Subscription Fee for each category of Membership shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative from 1<sup>st</sup> January following the date of Annual General Meeting. The current rate of Subscription Fee shall be prominently displayed in the Club premises.

a) Membership of the Club shall be open to anyone interested in the sport of outdoor flat green bowls on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Membership may however be limited according to available facilities on a non-discriminatory basis.

b) Membership subscriptions will be kept at levels that will not pose a significant obstacle to people participating.

c) The Club Committee may refuse membership or remove it, only for good cause such as conduct likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members. If consideration of removal of membership is as a result of a disciplinary issue, the procedure to be adopted shall be that as set out at point 3.6.2 of this Constitution.

3.3.2 All members shall pay their first annual subscription fee upon election to the Club and thereafter by 1<sup>st</sup> April of each year

### 3.4 Members' duty to provide contact details

3.4.1 Every member shall furnish the Honorary Secretary with up to date contact details that shall be recorded in the Register of Members and any notice sent to such address/es either by post or electronically shall be deemed to have been duly delivered.

### 3.5 Election and retirement of members

#### 3.5.1 Application for membership

a) An application for membership shall be in the form prescribed by the Committee and shall include the name, address and contact details of the candidate in line with the GDPR policy in force at that time

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#### 3.5.2 Election of Members

a) Upon receipt of an application for membership, there shall be an interval of at least two days before the meeting of the Committee at which such application for membership shall be considered. The election of all classes of members is vested in the Committee and shall be a simple majority vote of those of the Committee. The Committee may refuse applications only for good cause such as conduct likely to bring the Club into disrepute. The Honorary Secretary shall inform each candidate in writing of the candidate's election or non-election. The Honorary Secretary shall furnish an elected candidate with a copy of the Rules and Byelaws of the Club and make request for such payments as are necessary.

### 3.5.3 Payment of Fees upon Election

a) Upon election, a candidate shall pay, within one calendar month, fees as shall be requested. In default of such payment, the election shall be void unless sufficient cause for delay be shown.

### 3.5.4 Retirement of a member

a) A member wishing to resign their membership shall give notice in writing to the Honary Secretary before 31<sup>st</sup> December and shall not then be liable to pay the subscription for the following year.

b) A member who retires in accordance with this Rule shall not be entitled to have any part of the annual membership fee or any other fees refunded for the current year.

### 3.5.5 Arrears of Subscription

a) The Committee may cancel, without notice being given, the membership of any member whose annual subscription and other annual fees are more than one month in arrears provided that the Committee may, at its absolute discretion, re-instate such member upon payment of arrears. No member whose annual payment is in arrears may use the Club premises or vote at any meeting.

## 3.6 Conduct of Members

### 3.6.1 Undertaking by members to comply with rules

a) Every member, upon election and thereafter, is deemed to have notice of, and undertakes to comply with, the Club Rules and any Byelaws and Regulations of the Club.

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### 3.6.2 Disciplinary action against members

a) All disciplinary matters will be dealt with in accordance with Bowls England Regulation 9 (Misconduct)

b) Should any member be expelled, the former member shall not be entitled to have any part of the annual membership fee refunded and must return any property belonging to the Club.

### 3.6.3 Complaints

a) Complaints of any nature shall be addressed in writing to the Honorary Secretary

### 3.6.4 Members of other Bowls England Affiliated Clubs

- a) A member of any Club affiliated to Bowls England (a list whereof is published by Bowls England annually) may be authorised to use the premises of the Club.

### 3.7 Limitation of Club liability

3.7.1 All references to the Club in this Section shall mean each and every individual member of the Club from time to time.

3.7.2 Members are bound by the following Rule which shall also be exhibited in a prominent place within the Club premises:

“Members of the Club may use the Club premises, and any other facilities of the Club, entirely at their own risk and impliedly accept:

- a) The Club will not accept any liability for any damage to or loss of property belonging to members
- b) The Club will not accept any liability for personal injury arising out of the use of the Club premises, any other facilities of the Club either sustained by members or caused by the said members whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them, the Officers, Committee or Servants of the Club”

3.7.3 Membership of the Club and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the GDPR

## **Section 4: Public Access**

As we are a public green, occasional bowlers can arrange a rollup, providing they contact the club 24 hours in advance and there is a rink available for the time requested. They can contact the number as shown on the board at the club, or on the website. They must have a member with them and be signed in. There will be a cost if using own woods, more if using club woods or other equipment. Jacks, pushers, mats etc are available for loan free of charge from the club and for the duration of their stay they will be covered by the Club’s liability insurance.

## **Section 5: Management Committee**

5.1 Composition of Committee

- 5.1.1 The Committee shall consist of the Officers, ex officio, and not less than 5 nor more than 8 Full Members (who have attained the age of eighteen years) elected at the Annual General Meeting to hold office for the term of their elected period
- 5.1.2 Candidates for election to the Committee shall be those members of the retiring Committee eligible to offer themselves for re-election and such other full members whose nominations (duly proposed and seconded in writing by Full members of the Club) with their consent shall have been received by the Honorary Secretary at least fourteen days before the date of the Annual General Meeting in each year. Such nominations, together with the names of the Proposer and Seconder shall be posted in the Club premises at least five days prior to the date of the Annual General Meeting.
- 5.1.3 If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot of those members present and entitled to vote at the Annual General Meeting.
- 5.1.4 If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if majority of those present at the Annual General Meeting, and entitled to vote, vote in favour of such election.
- 5.1.5 In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot or previously nominated person.
- 5.1.6 If, for any reason, a casual vacancy shall occur, the Committee may co-opt another person to fill such a vacancy until the next following Annual General Meeting. Co-opted Members will be entitled to vote.

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5.2 Committee Meetings

- 5.2.1 The Committee shall endeavour to meet 6 times making such arrangements as to the conduct, place of assembly and holding of such meeting as it may wish.
- 5.2.2 Voting shall be by show of hands. In the case of equality of votes the Chairman (or other nominated person) shall be entitled to a second and casting vote.
- 5.2.3 4 members personally present shall form a quorum at a meeting of the Committee.
- 5.2.4 Any conflict of interest must be declared to the Chairman prior to the start of the meeting. The Chairman will determine if the person may remain in the meeting and vote when the item is discussed.

5.3 Powers of the Committee

- 5.3.1 The committee have the authority to update the constitution if due to instructions received from Bowls Wiltshire or Bowls England. Members will be informed of these changes and the changes will need to be ratified at the next Annual General Meeting.
- 5.3.2 The Committee shall manage the affairs of the Club according to the Rules and shall cause the funds of the Club to be applied solely to the objects of the Club.
- 5.3.3 In particular the Committee shall ensure that the property and funds of the Club will not be used for the direct or indirect private benefit of Members other than as reasonably allowed by the Rules. No surpluses or assets will be distributed to members or third parties and all surplus income or profits will be re-invested in the Club.
- 5.4 Appointment of Sub-Committees
  - 5.4.1 The Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law.
- 5.5 Disclosure of Interest to Third Parties
  - 5.5.1 A member of the Committee, of a sub-committee or any member of the Club in transacting business for the Club, shall disclose to third parties that they are so acting.

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- 5.6 Limitation of Committee's authority
  - 5.6.1 The Committee, or any person or sub-committee delegated by the Committee to act as agent for the Club or its members, shall enter into contracts only as far as expressly authorized, or authorized by implication, by the Committee. No one shall, without the express authority of the Committee, borrow money or incur debts on behalf of the Club or its membership.
  - 5.6.2 In pursuance of the authority vested in the Committee by members of the Club, members of the Committee are entitled to be indemnified by the members of the Club against any liabilities properly incurred by them or any one of them on behalf of the Club wherever the contract is of a duly authorized nature or could be assumed to be of a duly authorized nature and entered into on behalf of the Club.
  - 5.6.3 Each member of the Club shall (to the extent that such person is not entitled to recover under any policy of insurance) be entitled to be indemnified out of all funds available to the Club which may lawfully be so applied against all costs, expenses and liabilities whatsoever (reasonably) incurred by such person in the proper execution and discharge of duties undertaken on behalf of the Club arising there from, or incurred in good faith in the purported discharge of such duties,

provided that any such member so indemnified has been properly authorised in relation to the duties undertaken on behalf of the Club by the General Committee

- 5.6.4 The limit of any individual member's indemnity in this respect shall be equal to one year's subscription at the then current rate of that category of membership unless the Committee has been authorized to exceed such limit by a General Meeting of the Club.

5.7 Contractual Liability

- 5.7.1 The Committee shall endeavour to ensure that the following clause is incorporated in every contract, lease, licence or other agreement entered into by the Committee of the Club, as appropriate:

The liability of the Committee for the performance of any contractual or other obligation undertaken by them on behalf of the Club shall be limited to the assets of the Club from time to time.

5.8 Nomination of Honorary Members/Life Members by Committee

- 5.8.1 The Committee may nominate for election at an Annual General Meeting such Honorary/Life Members as the Committee may think fit.
- 5.8.2 The election of Honorary/Life Members shall be placed before the Annual General Meeting each year and such Honorary Members shall be duly elected if two thirds of those present, and entitled to vote, vote in favour of election.

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**Section 6: Annual General Meeting**

- 6.1 An Annual General Meeting of the Club should be held each year on the last Saturday in the month of November the date will be announced by the Committee. The Honorary Secretary shall at least twenty eight days before the date of such meeting circulate to each member notice hereof and of the business to be brought forward thereat. This may be either by post or electronically.
- 6.2 No business, except the passing of the Accounts and the election of the Officers, Committee, Trustees and Honorary Auditors, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Honorary Secretary at least 14 days before the date of the Annual General Meeting.
- 6.3 The Committee may at any time, upon giving twenty eight days notice in writing, call a Special General Meeting of the Club for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.
- 6.4 The Committee shall call a Special General Meeting upon a written request addressed to the Honorary Secretary signed by at least 10 members. The Committee shall meet within 28 days of the request in order to call a Special General Meeting. The Committee shall give

twenty eight days notice in writing of any such Special General Meeting. The discussion at such meeting shall be confined to the business stated in the notice sent to members.

- 6.5 At every meeting of the Club the Chairman will preside, or in their absence, a Chair elected by a majority of those present shall preside.
- 6.6 20 members entitled to vote at the relevant meeting and personally present shall form a quorum at any Annual General Meeting of the Club.
- 6.7 10 members entitled to vote at the relevant meeting and personally present shall form a quorum at any Section Meeting
- 6.8 Only fully paid up Members shall vote at any General Meeting of the Club. Other members may attend and speak but are not entitled to vote.
- 6.9 Voting, except upon the election of members of the Committee, shall be by show of hands.
- 6.10 In the case of an equality of votes the Chairman (or other nominated person) shall have a second or casting vote, on any matter.
- 6.11 On any resolution properly put to a meeting of the Club relating to the creation, repeal or amendment of any Rule, Byelaw or Regulation of the Club such Rule, Byelaw or Regulation shall not be created, repealed or amended except by a majority vote of at least two-thirds of those present and entitled to vote provided that no such change shall jeopardize the Club's status as a

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Community Amateur Sports Club within the meaning of the Finance Acts, or in any event alter its objects or winding up provisions.

#### **Section 7: Dissolution of the Club**

- 7.1 If, at any General Meeting of the Club, or Committee meeting, a resolution be passed calling for the dissolution of the Club, the Secretary shall immediately stop the meeting and make arrangements to convene a Special General Meeting to be held not less than 28 days thereafter to discuss and vote on the resolution.
- 7.2 If, at that Special General Meeting, the resolution is carried by at least two thirds of Members present, the Committee shall thereupon, or at such date as shall have been specified in the resolution, proceed to realise the assets of the Club and discharge all debts and liabilities of the Club.
- 7.3 If, upon the winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the Club.
- 7.4 Upon dissolution of the Club the Committee shall give or transfer the net assets remaining to one of more of the following:
  - a) to another club with similar sports purposes which is a charity and/or
  - b) to another club with similar sports purposes which is a registered CASC and/or

c) to a nominated bowls organization or bowls charity.

## **Section 8: Miscellaneous**

### **8.1 Opening of Club Premises**

The Club premises shall be open to members at such times as required

### **8.2 Safeguarding**

The Club shall adhere to the Safeguarding Policy of Bowls England and will ensure that all contents are communicated to members and clearly displayed within the club premises for Members and Visitors.

### **8.3 Equalities**

The Club shall adhere to the Equality Policy of Bowls England

### **8.4 The Members acknowledge this document constitutes a legally binding contract to regulate the relationship of the members with each other and the Club.**

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## **Amendment Log**

This original constitution first voted through the Calne Bowls Club AGM on 24<sup>th</sup> November 2018. The following are amendments which have taken place since:

24.11.2018      Point 2.1.1 Executive Management Committee to include Ladies' Secretary

