



# **BRIXHAM BOWLING CLUB**

## **RULES & CONSTITUTION**

**Version 4  
April 2019**

## **BRIXHAM BOWLING CLUB**

### **(A) RULES AND CONSTITUTION**

#### **1. TITLE**

- 1.1 The Club shall be called THE BRIXHAM BOWLING CLUB, hereafter to be referred to as "The Club".
- 1.2 The Club was registered with HMRC on 13th November 2004 as a Community Amateur Sports Club (Registration No: CASC 02132 Tax Reference No: CH 01290)

#### **2. OBJECTIVES**

- 2.1. The main purpose of the Club shall be to provide facilities to promote and participate in the flat green game of bowls at all levels.
- 2.2. To adopt and enforce the laws of the game as laid down by Bowls England.
- 2.3. The Club is committed to promoting a safe environment in which children and vulnerable adults can enjoy taking part in games of bowls. It will seek to underpin and ensure this commitment by following and promoting the Joint Child Protection Policy and procedures of the National Bodies.

#### **3. CIVIL & PUBLIC LIABILITY INSURANCE**

- 3.1. Each member of the Brixham Bowling 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 any and all funds available to the Brixham Bowling Club, which may lawfully be so applied, against all costs, expenses and liabilities whatsoever incurred by such person in the proper execution and discharge of duties undertaken on behalf of the Brixham Bowling Club or arising there from, or incurred in good faith in the purported discharge of such duties.

#### **4. MEMBERSHIP**

There shall be **four** classes of membership available.

- 4.1. These are:

- 4.1.1 Full Member
- 4.1.2 **Novice Member**
- 4.1.3 Junior Member (under eighteen years of age)
- 4.1.4 Social Member

- 4.2. Membership of the Club shall be open to all without discrimination. All candidates for membership shall complete a membership application form and be proposed and seconded by two Full Members. If accepted, he/she shall pay the relevant subscription.
- 4.3. Completed application forms shall be submitted to the Honorary Secretary, hereafter to be referred to as "the Secretary", who will arrange for their display on the notice board for two weeks prior to Management Committee consideration.
- 4.4. **Novice membership is open to people who are new to bowling, for a 12 month period at a reduced annual subscription.**

- 4.5. Junior membership can only be at the recommendation of an existing full playing member
- 4.6. Once admitted junior members can only enter club premises when accompanied by a suitable adult (See Child Protection clause 6 below) who is a full club member
- 4.7. Club Persons may not be admitted, as candidates for membership, to any of the privileges of membership, without an interval of at least two days between their nomination or application for membership and their admission.
- 4.8. Club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- 4.9. Membership shall be for one year commencing on the 1st April. The Management Committee shall be under no obligation to advise unsuccessful candidates as to why their application has been rejected.
- 4.10. The Full Members, on the recommendation of the Management Committee, shall have the power to elect Life Members who have rendered special service to the Club.
- 4.11. After the commencement of the playing season, Members wishing to withdraw from the Club or change their class of membership, must give notice, in writing, to the Secretary. Any refund of subscription will be entirely at the discretion of the Management Committee.

## **5. DISPUTES, MISCONDUCT AND APPEALS**

- 5.1. All disputes shall be settled by the Management Committee of Brixham Bowling Club.
- 5.2. In the case of alleged misconduct or breach of the Rules of the Club by an individual member, a Sub-Committee appointed by the Management Committee, may hold an enquiry and if necessary call witnesses and where appropriate impose such penalty as it sees fit.
- 5.3. Any individual member aggrieved by any decision of the Management Committee, or aggrieved by the adjudication of the sub-committee (3.7.2) in relation to breaches of the Code of Conduct or any member expelled, suspended or otherwise penalised by the Club, having exhausted his appeal rights at Club level may appeal to the Bowls Devon Management Committee.
- 5.1. Notice of appeal shall be made in writing to the County Secretary. An appeal hearing shall be arranged within four weeks of the written notice being received by the County Secretary. The appellant shall be invited to attend the hearing and bring witnesses in support of the appeal. Any Club or individual member dissatisfied with the outcome of proceedings has the right of appeal to Bowls England by procedures set in that body's Rules.

## **6. SAFEGUARDING**

- 6.1. The Brixham Bowling Club is committed to promoting a safe environment in which children and vulnerable adults can enjoy taking part in games of bowls. It will seek to underpin and ensure this commitment by following and promoting the joint child protection policy and procedures of the national governing bodies.
- 6.2. A Child Protection Officer shall be appointed at the AGM of the Brixham Bowling Club.

## **7. SUBSCRIPTION AND FEES**

- 7.1. The Annual Subscription and Fees, as determined by the Management Committee, are due and payable prior to the 17<sup>th</sup> April and shall be an acknowledgement on the part of the Member that he/she is bound by such Rules and that he/she will accept the decisions of the Club or Management Committee in all cases.
- 7.2. Provision shall be made for new Members joining after the 15<sup>th</sup> July and before the end of the playing season whereby a Subscription, up to a maximum of fifty per cent of the Annual Subscription, shall be determined by the Management Committee.
- 7.3. A "prospective member", subject to the provisions of Rules 4.2 and 4.3 can pay a nominal £1 joining fee in order to enter County Competitions in the following year.

## **8. OFFICERS**

- 8.1. The Officers of the Club shall be as follows:
  - President
  - Honorary Secretary
  - Honorary Treasurer
- 8.2. All Officers shall be elected at the Annual General Meeting of the Club, from, and by, the Full Members present and voting.
- 8.3. All Officers are elected for a period of one year, effective from the date of the Annual General Meeting, but may be re-elected to the same office or another office the following year. The Secretary shall post nomination forms for the election of Officers on the notice board and these shall remain on display for the period 1st to 30th September.
- 8.4. Nominations can only be made by Full Members and must be seconded by another Full Member before being signed by the nominee as acceptance of the nomination. Nominations will not be accepted after the 30th September except if, by this date, insufficient nominations have been received to fill the vacant offices.

## **9. ROLE OF THE OFFICERS:**

- 9.1. **PRESIDENT:** The President, as principal officer, shall be responsible for convening and presiding at all General and Management Committee meetings. As Chairperson, the President has a right to vote on any item and, in addition, has a second vote if the first vote is tied. A report shall be submitted to the Annual General Meeting by the President on the Club's achievements and any special occasions during the year.
- 9.2. **HONORARY SECRETARY:** The Secretary is the principal administrative officer of the Club, managing all correspondence, being responsible for keeping a record of the business transacted at all meetings, circulating agenda and minutes as directed by the Management Committee. A report shall be submitted by the Secretary to the Annual General Meeting on the activities of the Management Committee.
- 9.3. **HONORARY TREASURER:** The Treasurer has the ultimate responsibility for looking after the Club's finances, keeping up to date records of all the financial transactions, which will include all fees and subscriptions, donations and green fees. An oral statement of the financial position shall be given at each meeting of the Management Committee and a precise account of the receipts and payments, to the 30th September each year, shall be prepared, audited and presented to the Annual General Meeting.
- 9.4. The President and Secretary shall be ex-officio Members of all Sub-Committees.

## **10. MANAGEMENT COMMITTEE:**

10.1. The affairs of the Club shall be controlled by a Management Committee comprising the Officers and the following Members elected from, and by, the Full Members of the two playing Sections:

- 10.1.1. Men's Captain
- 10.1.2. Ladies' Captain
- 10.1.3. Men's Fixture Secretary
- 10.1.4. Ladies' Secretary
- 10.1.5. Ladies' Fixture Secretary
- 10.1.6. Bar Secretary

10.2. All elections to the Management Committee, and any other appointments, are for a period of one year effective from the date of the Annual General Meeting. Members elected may be re-elected to the same or another position the following year.

10.3. Decisions of the Management Committee shall be on the basis of a simple majority vote. In the case of equal votes, the Chairperson shall be entitled to a second vote.

## **11. ROLE OF THE MANAGEMENT COMMITTEE**

11.1. To control the affairs of the Club on behalf of the Members, meeting at agreed intervals and not less than four times a year.

11.2. A quorum shall be four.

11.3. The Club, through the Management Committee, shall maintain a bank current account. Cheques drawn on the Club's account shall be signed by any two of the three Officers.

11.4. The Management Committee shall have the power to fill any vacancies that may arise during its term of office, co-opt Members as necessary and make such byelaws as may be necessary for the management of the Club and to comply with the requirements of Torbay Council.

11.5. Co-opted Members shall not be entitled to a vote on the Management Committee.

## **12. GENERAL MEETINGS:**

12.1. The Annual General Meeting of the Club shall be held before the fourth Saturday in November in each year. The Secretary shall give twenty-one clear days written notice to Members by posting the notice on the notice board and by circulating a copy of the notice to every Member at their home address.

12.2. Members must advise the Secretary, in writing, of any business to be moved at the Annual General Meeting at least fourteen days before a meeting.

12.3. The Secretary shall post a copy of the agenda on the notice board not less than seven days before a meeting,

12.4. The chair shall be taken by the President or, in his absence from the Club by another member of the Management Committee.

12.5. A quorum shall be fifteen Full Members

- 12.6. Each attending Full Member shall be entitled to one vote at General Meetings. There shall be no entitlement to a Proxy Vote and, although Social, Novice, Junior and "prospective" Members may attend, they shall not be entitled to a vote or to stand for office.
- 12.7. Decisions of a General Meeting shall be on the basis of a simple majority vote, by a show of hands, unless a secret ballot is called for by a majority of those attending and entitled to vote. In the case of equal votes, the Chairperson shall be entitled to a second vote.
- 12.8. Special General Meetings may be convened by the Management Committee or within fourteen days of the receipt by the Secretary of a request in writing from not less than fifteen Full Members of the Club. Notice of the meeting shall be given in writing to Members stating the business to be transacted. No other business shall be discussed.

### **13. ANNUAL GENERAL MEETING:**

- 13.1. The business of the Annual General Meeting shall be to:
  - 13.1.1. Confirm the Minutes of the previous Annual General Meeting and any Special General Meetings held since the last Annual General Meeting. A copy of the Minutes to be confirmed shall be posted on the notice board not less than seven days before a meeting.
  - 13.1.2. Receive the President's report on the Club's achievements and any special occasions during the year.
  - 13.1.3. Receive the annual report of the Management Committee from the Secretary.
  - 13.1.4. Receive the Financial Statement and Treasurer's report.
  - 13.1.5. Receive reports of the playing sections from the Fixture Secretaries and Captains.
  - 13.1.6. Elect the Officers of the Club.
  - 13.1.7. Elect an Honorary Auditor and, if considered desirable, fill any other necessary positions.
  - 13.1.8. Receive, from the Secretary, a report on the result of elections by the playing sections.
  - 13.1.9. Discuss items raised by the Management Committee or Members, having been received by the Secretary not less than fourteen days prior to the meeting.
  - 13.1.10. No other business shall be discussed.

### **14. DISTRIBUTION OF PROFITS:**

- 14.1. Any profits made by the Club shall go back to the Club for the benefit of its members. Under no circumstances shall profits made be distributed amongst its members.

**15. DISSOLUTION OF CLUB:**

15.1. If, at any General Meeting, a resolution for the dissolution of the Club is passed by a majority of the members present and, at a Special General Meeting held not less than six weeks later, of which not less than four weeks written notice has been given to each member, and at which not less than one-half of the members are present, that resolution is confirmed by a resolution of two-thirds of the members voting on it, the Management Committee must immediately, or at such future date as is specified in the resolution, proceed to realise the property of the Club and, after the discharge of all liabilities, must pay such realised property to a charity to be nominated by the Management Committee at that time and, on the completion of the said payment, the Club will be dissolved.

**16. ALTERATION TO RULES AND CONSTITUTION**

16.1. Alteration of, or addition to, the Rules and Constitution shall only be made at the Annual General Meeting or at a Special General Meeting convened for the purpose.

## **(B) SOCIAL ACTIVITIES**

All Members can, once approved by the Management Committee, arrange and carry out social functions, which may be attended by Members and their guests. Catering for such events shall be as approved by the Management Committee.



### **(C) PLAYING SECTIONS**

Full Members shall form two playing sections, Ladies' and Men's, and each will be responsible for organising and administering its own fixtures and competitions. Prior to the Annual General Meeting each section will appoint a Captain, Vice Captain and three Full Members to act with the Captain and Vice Captain as a Selection Committee. Each section will also elect a Fixture Secretary to serve with the Captains on the Management Committee.

The respective Captains will be responsible for convening all meetings of the section.

On formal club occasions, such as matches and competitions, players shall wear clothing which conforms to the dress code of The Club. On other occasions a wider range of informal dress is acceptable. The wearing of jeans or beachwear is not permitted. Approved footwear must be worn on the green.

*Includes all decisions taken up to and including the Extraordinary General Meeting held on Saturday 13<sup>th</sup> April 2019*

*New items shown in red*