



CONSTITUTION

Version 16 - containing change approved at the 31st AGM – April 2022

This Constitution contains 16 sections and an APPENDIX within which any references to “he” or “him” can equally be applied to “she” or “her”.

1 – TITLE

The Association shall be known as “The North Yorkshire Short Mat Bowling Association (NYSMBA)” hereinafter referred to as the Association.

2 – OBJECTIVES

To promote, foster and encourage the game of Short Mat Bowls in member and prospective member clubs, according to the rules, regulations and policies of the English Short Mat Bowling Association (ESMBA) and regardless of age, sex, disability, race or ethnic origin. To offer advice, guidance and assistance to any registered player or club, or to any league involving member clubs, on issues related to Short Mat Bowling.

The Association is committed to promoting a safe environment in which children and vulnerable adults can enjoy taking part in games of bowls and it will seek to underpin and ensure this commitment by following and promoting the principles of the joint Child Protection Policy issued by the English Bowls National Governing Bodies (NGBs).

3 – MEMBERSHIP

- (a) **Clubs** - Membership is open to Short Mat Bowling Clubs that are located within, or close to, the boundaries of North Yorkshire County. It is a condition of membership that clubs affiliate a minimum of 6 members and have insurance to indemnify their club against 3rd party liability claims. Clubs applying for membership shall send a completed application form to the Membership Secretary of the Association for consideration by the Management Committee of the Association. Clubs satisfying these conditions will be accepted subject to ratification by the General Committee at the next general meeting.
- (b) **Individuals** - Clubs shall annually provide a list of their members who they wish to affiliate as members of the Association and all such players will automatically be registered with the ESMBA as NYSMBA affiliated players. Membership applications for those under the age of majority must be accompanied by a fully completed “Parental Consent Form (PCF)”.
- (c) Only NYSMBA affiliated members will be eligible to take part in activities organised by the NYSMBA. Affiliated members may not represent any other county Association.
- (d) The Association has the right to reject an application for membership from either a club or an individual. The rejected applicant will have the right to appeal to the Management Committee against any such a decision.
- (e) The Association has the right to suspend membership of a club or individual as a result of a ruling by a Disciplinary or Appeals panel appointed in accordance with the Associations “Disciplinary and Appeals Procedures”.

4 - ANNUAL SUBSCRIPTIONS

Member clubs shall be liable to pay the sum of 2 fees annually.

- (a) Club registration fee
- (b) Player registration fees

The player registration fees will cover the registration of club members with all affiliated bodies and shall be due in respect of all club members in line with the “Registered Player Policy” defined by the ESMBA. If a player is a member of more than one club, a player registration fee shall be

payable from each club in which they are enrolled. There will be no reduction in fees for players registering during the course of the season.

Both fees will be set at the AGM to cover the following season (September 1st – August 31st) and shall be paid to the Treasurer by 31st October annually. Should any club be overdue with their payment they shall be liable to a fine for each week their fees remain overdue. If payment is not received by the end of November, the club and all its members shall be suspended from the Association until such time as full payment (including fines) has been received.

5 – ADMINISTRATION

The affairs of the Association shall be administered by a General Committee consisting of the Officers and one representative from each member club. The Officers of the Association shall consist of a Chairman, Vice Chairman, Secretary, Treasurer, Competition Secretary, Membership Secretary, Safeguarding Officer and a Captain for each county team. All Officers and club representatives must be members of the Association.

All Officers shall be elected annually at the Annual General Meeting (AGM) and existing Officers shall be eligible for re-election. All nominations for office must be submitted to the Secretary at least 28 days prior to the date of the AGM, who shall then notify all member clubs of the names of those seeking election. If no nominations have been submitted, they may be made from the floor of the AGM providing the nominees are present. When more than a single candidate is nominated for any office, election to that office will be by a secret ballot overseen by two scrutineers elected by those present. The Officers shall form the Management Committee responsible for the day to day administration of the Association.

Officers may co-opt members on to the Management Committee when vacancies occur. However any such co-opted members shall not be entitled to vote until their appointment is endorsed at the next Committee or General meeting.

Officers shall have the power to co-opt members to form a sub-committee to deal with specific matters required to enable the business of the Association to be fulfilled. Any such sub-committee must report on their work at the next Committee or General meeting at which their composition and function must be ratified.

6 - COMMITTEE MEETINGS

The Management Committee shall meet as often as the business of the Association requires. General Committee meetings will be called only at the discretion of the Chairman in instances where consultation with club representatives is desirable. At General Committee meetings, club representatives shall have the right to be accompanied by one colleague from their own club. Guests may also attend, provided that the permission of the Secretary has been obtained in advance of the meeting date. Colleagues and guests may speak on any item on the agenda at the discretion of the Chairman. Entitlement to vote however shall be restricted as defined in QUORUMS AND VOTING.

7 - FINANCES

- (a) The Association's accounts shall be closed and balanced as at the 31st March each year.
- (b) A bank mandate shall be set up nominating the Treasurer and 2 other members as authorised cheque signatories.
- (c) The Treasurer shall additionally be authorised to use internet banking facilities to manage the Association's bank account on-line.

8 - ANNUAL AND OTHER GENERAL MEETINGS

The Annual General Meeting (AGM) shall be held annually in order to conduct the following business.

- (a) To agree the minutes of the previous meeting.
- (b) To receive reports from the Officers of the Association.
- (c) To receive reports from representatives of each of the counties Short Mat Bowling Leagues.

- (d) To receive a written statement of the Associations accounts to the end of the Financial Year.
- (e) To elect the Officers of the Association for the following year.
- (f) To agree or modify the Associations club and player registration fees.
- (g) To debate and vote on any proposal, including any changes to this Constitution, raised by any member of the Association provided that it is relevant to the well being or development of the Association. Any such proposal must have been notified in writing to the Secretary at least 28 days prior to the date of the meeting and appear as an item on the agenda.
- (h) To appoint a suitable non-committee member of the Association to check the annual accounts as prepared by the Treasurer, before their presentation to the AGM.”

An Extraordinary General Meeting (EGM) may be convened at any time if requested by a majority of the Officers or by not less than 25% of the Committee. The Secretary must notify all clubs of the agenda and date of such a meeting at least 21 days in advance. The item(s) on the agenda shall constitute the only topic(s) that may be discussed and voted upon.

Any member of the Association may attend the AGM or an EGM and may speak on any item on the agenda at the discretion of the Chairman. Entitlement to vote however shall be restricted as defined in QUORUMS AND VOTING.

9 - DUTIES OF OFFICERS

With the exception of the CHAIRMAN and VICE CHAIRMAN, a Job Statement shall be provided to every Officer of the Association which defines the duties and responsibilities relevant to their post. Job Statements shall be drawn up and agreed by the Management Committee and shall only be modified with the agreement of the Management Committee.

The CHAIRMAN shall assume the overall responsibility for the running of the Association. Specifically he shall seek to ensure that the OBJECTIVES of the Association are fulfilled and to this end, shall seek to ensure that all Officers fulfil the requirements of their Job Statements. He shall be assisted by the VICE CHAIRMAN who will deputise for him in his absence.

10 – TRUSTEES

The Association shall appoint three of its members to act as Trustees whose duties shall be to ensure that the requirements of Section 12 (DISSOLUTION) are carried out once all the liabilities of the Association have been settled. Trustees may only be appointed at a General meeting of the Association (see APPENDIX)

11 - QUORUMS AND VOTING

For any General or Committee meeting to be valid, 25% of the General Committee must be present. For any Management Committee meeting to be valid 60% of those eligible to vote must be present. At all meetings only Committee members will be allowed to vote. Where any individual holds more than one position on the Committee, that individual shall only be allowed a single vote. The Chairman shall only have a casting vote. Proposals shall be passed by securing a simple majority of those eligible to vote. Officers will not be eligible to vote on any proposal put forward by the Management Committee.

12 – DISSOLUTION

If the Association were to dissolve all funds are to be divided in equal portions and awarded to the Clubs affiliated to the Association at the time of the dissolution.

13 - CHANGES TO THE CONSTITUTION

Changes to this Constitution may only be made at the AGM or at an EGM convened for that purpose. No change may be made to Paragraph 12 (DISSOLUTION) at any time.

14 – DISCIPLINARY MATTERS AND APPEALS

Formal complaints, allegations of misconduct or breaches of the Rules or Byelaws by a League, Club, Team or individual registered player must be made in writing. The procedure to be followed will then be as defined in the “ESMBA Disciplinary Procedure”. The procedure to be followed with regards to any resultant appeal will be as defined in the “ESMBA Appeals Procedure”.

15 - LEAGUES

Member clubs may compete with one another on a league basis and competing club teams must be composed wholly of players who have affiliated to the NYSMBA. The only exception to this is where a league committee invites teams from clubs registered in another county association to take part in their competition. In such cases players from the invited clubs must be wholly affiliated to that association. League organisers shall lodge a copy of their leagues Constitution and Rules with the Secretary and shall keep him informed of any subsequent changes to these.

16 - Any matters not covered in these rules shall be resolved by the Management Committee.

APPENDIX TO THE NYSMBA CONSTITUTION.

POLICY REGISTER

The Policy Register contains a full copy of this CONSTITUTION and various additional reference documents relating to the running of the Association. These include Job Statements defining the duties of each of the Associations Officers, the Selection Policy for the County teams and the Substitution Policy for County competitions. These and other documents are kept under review by the Management Committee who must agree any changes. Changes to the Constitution or the Disciplinary and Appeals Procedures must also be submitted to an AGM (or EGM) for changes to be agreed.

REVISIONS

Version 1 – April 2002 was the result of a thorough revision carried out between November 2000 and April 2002.

Version 2 – April 2005 – updated to include the addition of Publicity Officer and Assistant Competition Secretary.

Version 3 – April 2006 – updated to re-allocate some of the Officers duties.

Version 4 – April 2007 – updated to make it a requirement to nominate Officers in advance of an AGM and to allow a non-standard review of previous minutes at meetings.

Version 5 – April 2008 – updated to accommodate Captains for two county teams and a selection sub-committee. Definition of duties for Captains redefined and responsibility for organising inter-county fixture dates passed to the Secretary.

Version 6 – April 2009 – updated to remove the post of Assistant Competition Secretary, add the posts of Membership Secretary and Junior Coordinator and to alter the term “Executive Committee” to “Management Committee”.

Version 7 – April 2010 – updated to include objectives with respect to children and vulnerable adults. Reference to the specific duties of the Officers was removed and replaced with more general wording referencing the existence of Job Statements for each committee post.

Version 8 – April 2011 – updated to remove the requirement to hold 2 general committee meetings each year and to specifically hold the AGM in the month of April.

Version 9 – May 2012 – 8(h) added re appointment of an “auditor”.

Version 10 – April 2013 –

5-ADMINISTRATION updated to allow for more than 2 Captains and change in Publicity Officers title. Remove superfluous word “nominated”.

11-QUORUMS AND VOTING updated to remove Officers entitlement to vote on proposals they put forward and removal superfluous wording regarding “substitute representatives” at meetings.

Version 11 – May 2014 –

3 - MEMBERSHIP updated to clarify registration with the ESMBA.

4 - ANNUAL SUBSCRIPTIONS updated to remove reference to redundant NESMBA player fees.

11-QUORUMS AND VOTING updated to change 6 to 60% for ManCom meetings.

6-COMMITTEE MEETINGS updated to clarify when Management and General committee meetings are called.

14- DISCIPLINARY MATTERS completely re-written to improve wording and make more relevant.

Version 12 – May 2015

3 - MEMBERSHIP re-written to include minimum club membership of 5; the requirement for a PCF for junior members; the requirement for clubs to hold 3rd party liability insurance. Also to define that all individual club members submitted for NYSMBA affiliation will automatically be registered with the ESMBA. Also to define that only NYSMBA members can take part in NYSMBA activities and cannot represent another Association.

14- DISCIPLINARY MATTERS completely re-written to make reference to the procedures contained within the Policy Register.

15 – LEAGUES re-worded to make it compulsory for teams representing NYSMBA clubs to be wholly composed of NYSMBA members.

Version 13 – April 2017

4 – ANNUAL SUBSCRIPTIONS re-written to simplify fee definition and to remove reductions for dual members and those joining during the course of the season.

5 – ADMINISTRATION modified to remove the post of Publicity, Web and Archive Secretary.

Version 14 – April 2020

7 - FINANCIAL YEAR renamed FINANCES and sub-sections (b) and (c) added.

Version 15 – July 2021

HEADING – Change to read simply “Constitution”.

3 – MEMBERSHIP. Minimum number of clubs increased from 5 to 6.

4 – ANNUAL SUBSCRIPTIONS. Modify wording to make it clear that all club members should be registered (no exemptions)

14 - DISCIPLINARY MATTERS. Change wording to remove reference to bespoke NYSMBA policy and replace with ESMBA policy.

Version 16 – April 2022

5 – ADMINISTRATION. Change “Junior Coordinator” to “Safeguarding Officer”.

TRUSTEES

In accordance with Section 10, the following were appointed at the 2nd AGM in 1993.

John Harforth (Helmsley) Arthur Rathmell (Ampleforth) Don Glensor (Kirkbymoorside)

Brian Stoker (Yoredale) was appointed in 2005 at the 14th AGM due to the death of John Harforth.

At the 24th AGM in 2014, all 3 trustees retired, and the following members were appointed.

Janet Clark (North Duffield) Keith Hughes (Easingwold) Derek Beardsley (Knaresborough)