

MALDEN MANOR BOWLING CLUB CONSTITUTION

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1 NAME

- (a) The name of the Club shall be Malden Manor Bowling Club, which is abbreviated in this Constitution to "the Club".
- (b) Malden Manor Bowling Club is comprised of the former clubs Malden and Coombe Bowling Club and Manor Park Ladies Bowling Club.
- (c) An entity known as Manor Park Bowls Management Association will also exist, with a constitution and nominal committee. The committee of the Association will be the elected Chairman, Secretary, Treasurer and the two elected members of the Malden Manor Bowling Club.

In view of the Executive Committee of Malden Manor Bowling Club being the same as that of Manor Park Bowls Management Association, the Association will continue in name only for the purposes of being the leaseholder from Royal Borough of Kingston.

In matters where there is a conflict between the constitution of the Association and that of Malden Manor Bowling Club, the constitution of Malden Manor will prevail.

2 OBJECTS

The objects of the Club are to:

- (a) Foster and promote the sport of level green bowls according to the guidelines currently in operation and ensure that all games played adhere to the laws of the sport currently in force,
- (b) Promote equal opportunity for playing bowls in accordance with the Royal Borough of Kingston equal opportunities policy wherein the Club will not exercise any discrimination on the grounds of race, gender, marital status, sexual orientation, religion, creed or disability,
- (c) Promote the protection of juniors and vulnerable people according to the principles of the policy advised by "Bowls England" and to adhere to the "Bowls England" "Protection of Children and Vulnerable Adults Policy"..

3 POWERS

The powers of the Club are to:

- (a) Control and raise funds by subscriptions, donations, fees, levies, sponsorship, or otherwise,
- (b) Determine regulations, policies and procedures for the governance, management and operations of the Club,
- (c) Determine, implement and enforce disciplinary procedures for its Members, including imposing sanctions not inconsistent with this Constitution,
- (d) Establish an Executive Committee, Sections (see section 13), committees and other necessary groups, and to delegate powers and functions to such groups.

4 MEMBERSHIP

4.1 Categories of Membership

The categories of membership of the Club, (collectively called "Members") shall be:

- (a) **Full Members:** These shall be entitled to all the playing and other privileges and advantages of full membership of the Club and in particular have the right to hold office in the Club, to speak and vote at Club General Meetings including Section Meetings, and have the right to use of the Club's green as determined by the Executive Committee. Full Members have the

right to enter into any bowling competition, tournament or match held by the Club or if selected, to represent the Club in other competitions, tournament and matches,

- (b) **Non-Playing Members:** Non-Playing Members must have previously been Full Members. They shall be entitled to all the rights and privileges as Full Members, other than use of the green. Playing Members may become Non-Playing at any time they wish, but may revert to full membership,
- (c) **Junior Members:** Any person who is under 23 years of age as at 1st May may become a Junior Member of the Club. Junior Members shall have the same rights and privileges as Full Members, excepting that they do not have the right to hold office in the Club,
- (d) **Life Members:** Any Life Member elected under Section 4.3 shall retain the privileges of a Full Member.
- (e) **Social Members:** Social Members must be the spouse, partner or child of a Full or Non-Playing Member, deceased Full Member or close friend of existing Member. (? At the time of joining) They shall be entitled to partake in all of the social activities of the club but will not be entitled to the use of the green; to hold office or vote at the Club General Meetings and Section Meetings.

4.2 Applications for Membership

- (a) Applications can be made for Full Membership (including Junior Membership) only. They shall be in writing addressed to the Secretary on the prescribed application form. Such applications shall acknowledge that upon acceptance as a Member he or she is bound by this Constitution and the Club Regulations.
- (b) Every applicant for admission to membership of the Club shall be proposed and seconded by any two Members of the Club.
- (c) Upon receipt of a properly completed membership form the Section Committee shall determine whether a person's application for membership is accepted. The Executive Committee will be informed of the new applicant. Section Committees may refuse to accept any applicant for membership on any lawful grounds, and shall not be required to give reasons for such refusal, but may choose to do so.

4.3 Life Membership

Any Member of the Club may propose that a Full or Non-Playing member of the Club become a Life Member. Every such proposal must be seconded and shall be made in writing, setting out the basis upon which the proposer considers the Member has rendered outstanding services to the Club. The application shall be considered by the Executive Committee. If it is approved, the decision will be presented at a General Meeting of the Club, for recognition by the membership.

4.4 Termination of Membership

- (a) A Member wishing to resign membership at any time shall notify the Honorary Secretary in writing.

5 MEMBERS' RIGHTS AND OBLIGATIONS

Members acknowledge and agree that:

- (a) They are entitled to all benefits, advantages, privileges and services of membership as conferred by this Constitution,
- (b) They are expected to participate to the full extent of their abilities in the running of the Club including green duties, tea rotas and the like.

6. SUBSCRIPTIONS

- 6.1. The subscriptions due and payable by Members by the 31st day of May in every year shall be as approved by the Club annually in a General Meeting. The Executive Committee shall recommend the subscription fees it considers appropriate to the Members for consideration at the General Meeting.
- 6.2. If the annual subscription fee of any Member and any other moneys owing by him or her to the Club remain unpaid after the 31st day of *May* in any year he or she shall not thereafter, unless the Executive Committee shall otherwise determine in special circumstances, be entitled to exercise or enjoy any right, privilege or advantage of membership until all such moneys shall have been paid. Before this rule takes effect, the Secretary must give written notice to the Member concerned of the outstanding moneys owing by that Member to the Club.
- 6.3. The Executive Committee shall have the power to reduce the first annual subscription of any Full Member or **Student Member** accepted to membership after the commencement of the playing season.

7 EXECUTIVE COMMITTEE - POWERS, DUTIES AND COMPOSITION

7.1 Overall Power

- (a) The Executive Committee shall be the policy-making body of the Club and shall also be responsible for managing the business and affairs of the Club.
- (b) The Executive Committee shall, through clearly defined delegations of authority, delegate to the various Sections, sub-committees, groups and those persons appointed under Rule 7.2(d) responsibility for the day-to-day management of the business and affairs of the Club.

7.2 Powers and Duties

The Executive Committee shall:

- (a) Control the affairs of the Club on behalf of the members and manage and expend the funds of the Club including the power to invest or otherwise deal with such funds, and to incur liability as it may think necessary or expedient, in accordance with the powers of the Club set out in Rule 3 of this Constitution,
- (b) Ensure that the green is maintained to conform to National and County standards, and that buildings and the facility as a whole are maintained to a standard acceptable to the membership,
- (c) Have ultimate responsibility for Club matters, and liaise with Sections through the Section Delegates,
- (d) Appoint such persons as it considers appropriate to committees, positions and roles within the Club, to determine the terms and conditions of such appointment and, if necessary, to terminate such appointments,
- (e) Subject to this Constitution, fill vacancies of the Executive Committee and committees or other groups which are established by it.

7.3 **Composition**

The Executive Committee shall consist of the following:

- (a) Elected at the AGM of the Club
 - i. The Chairman
 - ii. The President
 - iii. The Secretary
 - iv. The Treasurer
 - v. The Assistant Treasurer
 - vi. Two other Full Members of the Club (one from each Section),
- (b) Elected at the Section AGMs
 - The Secretary of each Section,
- (c) No member may be elected to more than one post on the Executive Committee,
- (d) The Executive Committee shall have the power to fill any casual vacancy occurring through to the next election. Co-opted members will be free to vote upon all matters debated at Executive Committee meetings.

8. NOMINATIONS & ELECTION OF EXECUTIVE COMMITTEE

8.1. Nomination of Officers

- (a) The members of the Executive Committee of the Club shall be elected at each Annual General Meeting save for the representatives elected by the Sections.
- (b) The Secretary shall, not later than 31 August each year, place a notice on the main notice board in the clubhouse giving the date of the Annual General Meeting and inviting nominations for members of the Executive Committee. The notice must set a date by which nominations must be received which shall be not earlier than three weeks after the notice has been placed on the notice board. Nominations shall be in writing signed by the proposer and seconder, and shall contain the consent of the nominee. Any member of the Club may make such nominations.
- (c) If more than one valid nomination for each position shall be received, the Secretary shall forthwith advise all Members entitled to vote at a General Meeting of the names of the nominees. All nominees, proposers and seconds will be shown on the Agenda of the Club AGM.
- (d) If no valid nominations for each position are received by the Secretary in accordance with this Rule, then nominations for such position may be made orally at the Annual General Meeting, provided that the approval of the nominee has been obtained. If there is only one nomination the Chairman of the meeting shall declare that person elected.
- (e) Voting will be by secret ballot. If there are two (2) candidates, the one receiving the greater number of votes shall be elected. Should there be more than two (2) candidates and no candidate receives an overall majority a second ballot will be held between the two candidates receiving the most votes in the first ballot. In either case, in the event of both candidates receiving an equal number of votes, the Chairman shall have a second and casting vote.

8.2. Term of Office

The term of office of the members of the Executive Committee shall be from the conclusion of the Annual General Meeting at which their election is made through to the close of the following Annual

General Meeting.

9 PROCEEDINGS OF THE EXECUTIVE COMMITTEE

9.1 Meeting Frequency

The Executive Committee shall meet regularly throughout the year.

9.2 Voting

Each Executive Committee Member present at any Executive Committee meeting may exercise one (1) vote. The Chairman, in the event of an equality of votes, shall also have a second and casting vote.

9.3 Minutes

The Secretary shall ensure the proceedings of each Executive Committee meeting are properly recorded. Copies will be made available to each Member of the Club upon request. The original of each set of minutes shall be permanently affixed in the minute book and confirmed at the next meeting of the Executive Committee.

9.4 Quorum

- (a) The quorum for meetings of the Executive Committee shall be five (5) Executive Committee Members.
- (b) No business shall be transacted at any Executive Committee meeting unless a quorum shall be present.

9.5 Chairman

The Chairman of meetings of the Executive Committee shall be the Chairman unless he or she is unavailable, in which case the members of the Executive Committee shall determine amongst themselves who shall chair the meeting.

10 DUTIES OF CLUB OFFICERS

10.1 Chairman - Duties

- (a) Procedural matters working closely with the Secretary, including in particular chairing the Executive Committee and General Meeting.

10.2 President – Duties

- (a) Represents the Club in an honorary capacity at appropriate club and external events.
- (b) Pastoral matters.

10.3 Secretary – Duties

The Secretary shall:

- (a) Conduct all correspondence and generally perform such duties required under the Constitution and the Club Regulations and such other duties as directed by the Executive Committee,
- (b) The Secretary shall delegate such tasks as appropriate to other members of the Executive Committee, the Sections or those persons appointed under Rule 7.2.(d & e).

10.4 Treasurer - Duties

The Treasurer, supported by the Assistant Treasurer shall:

- (a) Collect and account for all subscriptions and other moneys payable to the Club. As is necessary and appropriate collect various monies from Members, and make reimbursement to Members. Make payments on the behalf of the Club as they become due,
- (b) Report to each meeting of the Executive Committee the state of the finances of the Club,

(c) Keep a register of Members,

- (d) Prepare and submit to audit immediately after the close of each financial year the Statement of Income and Expenditure and audited Statement of Accounts for the Club for the financial year, and present them, together with a budget of estimated income and expenditure for the ensuing year, to the Annual General Meeting.

10.5 Elected Officers

- (a) Will assist the Executive Committee to the full extent of their ability and undertake tasks delegated to them.

11 FINANCIAL

11.1 Bank Account

The Club's current banking account shall be kept as may be decided upon by the Executive Committee. All cheques on the account shall be signed by any two of the signatories as designated by the Executive Committee.

11.2 Financial Year

The financial year of the Club shall end on the 30th September in each year. The Executive Committee shall cause true and complete accounts to be kept of the income and expenditure and assets and liabilities of the Club. A Statement of Accounts and Balance Sheet, in the form approved by the Executive Committee and duly audited shall, together with the Annual Report, be made available to each Member at the Annual General Meeting

12 GENERAL MEETINGS

12.1 Annual General Meeting

- (a) An Annual General Meeting of Club shall be held not later than 30 November in each year. Formal written notice shall be given, including an agenda and minutes of the previous AGM, to all Members entitled to vote at the meeting. The notice shall confirm the venue, date and time of such meeting, as determined by the Executive Committee, not later than twenty-one (21) days prior to the proposed date for the meeting.
- (b) The business to be transacted at every Annual General Meeting shall include:
 - i. Confirmation of the minutes of the previous year's Annual General Meeting,
 - ii. Receiving the audited Treasurer's report for the preceding financial year together with the Statement of Income and Expenditure and audited Statement of Accounts for the Club for the financial year,
 - iii. The election of members of the Executive Committee,
 - iv. Fixing the annual subscription fee or fees,
 - v. The appointment of two (2) auditors for the next financial year (see section 20),
 - vi. Transacting any other business as deemed appropriate with the proviso that written notice of any motion shall have been made in writing, duly signed by the proposer and seconder, to the Secretary not later than the date set in Section 8.1(b) for nominations for the Executive Committee..

12.2 Special General Meeting

- (a) The Secretary shall convene a Special General Meeting of the Club,
 - i. When directed to do so by the Executive Committee or
 - ii. On requisition in writing signed by not less than ten (10) Members entitled to vote at a General Meeting, which shall provide full details of the business to be dealt with at the meeting,

- (b) A Special General Meeting, if called by the Executive Committee, shall be convened by the Secretary giving at least fourteen (14) days' notice to the Members of the date and venue of such meeting (except where in the view of the Chairman such notice period is not practicable). Such notice shall clearly state the reasons why the Special General Meeting is being convened and provide, as fully as possible, details of the nature of the business to be transacted at the meeting. Only the business mentioned in the notice may be dealt with at such Special General Meeting,
- (c) Voting shall be by show of hands, except if the Executive Committee or, if any ten (10) Members present and entitled to vote request a ballot, which in either case a secret ballot shall be held. The meeting will elect two (2) Members (entitled to vote) of the Club serving on neither the Executive Committee nor a Section Committee to serve as tellers and receive and count all votes and report to the meeting.

12.3 **Procedures at General Meetings**

- (a) Minutes of General Meetings
 - i. The Secretary shall ensure that the proceedings of all General Meetings are recorded and incorporated in the minute book after the meeting. The Secretary shall forward a copy of the minutes to each member of the Executive Committee.
 - ii. Normally the minutes will only be distributed to the total membership prior to the next general meeting of the Club; however they shall be made available at any time when requested, following approval by the Executive Committee.
- (b) Voting at a General Meeting
 - i. Voting at General Meetings is by show of hands, unless covered by the provisions in 8.1(e) and 12.2 (c) or elsewhere in this Constitution where a secret ballot is prescribed. All eligible Members present may vote.
 - ii. Any decisions reached at a General Meeting shall represent the majority of the number of votes cast, save in respect to matters necessitating a change in the Rules of this Constitution where a 2/3 majority shall be required. An abstention does not count towards the number of votes cast. A majority means more than 50%, and a 2/3 majority means more than 2/3 of the votes cast.

13 **SECTIONS**

- (a) The duties of the Sections shall be to run the bowling events and occasions for their Members in accordance with the guidelines laid down by Bowls England and their respective County Associations, to which bodies these sections shall be affiliated.
- (b) There shall be a Men's and a Ladies' Section each administered by a Section Committee consisting of a Captain, Vice Captain, Match Secretary and Section Secretary.
- (c) The above shall be elected annually at a General Meeting of the Section to be held not later than 28 days prior to the Club AGM in each year which will be called and conducted in accordance with the procedures for General Meetings as set out at Rule 12.
- (d) Each elected Section Secretary shall also serve on the Executive Committee. (see section 7.3 (b)), and will be entitled to vote upon all matters discussed.
- (e) In any matter of dispute between the Sections and the Executive Committee the Executive Committee's decision shall be final.

14 **SPECIAL CONTINGENCY COMMITTEE**

14.1 **Composition**

The Special Contingency Committee shall consist of not less than six (6) persons identified by

the Executive Committee and approved by a majority of members present at the Annual General Meeting. None of the members of the Special Contingency Committee shall be currently serving members of the Executive Committee or a Section Committee.

14.2 Functions

The functions of the Special Contingency Committee shall be to

- (a) hear and determine any Appeals properly made to it under this Constitution. An Appeals Board shall comprise three (3) members from the Special Contingency Committee who will be selected by lot conducted by the Executive Committee Secretary from those members available and who have no declared interest in the matter before them,
- (b) if delegated by the Executive Committee, undertake any inquiry or investigation, on behalf of the Club.

14.3 Procedure

The Special Contingency Committee shall determine its own procedure. For appeals, however, it will act in accordance with the process as stated in section 15.1(c).

15 DISCIPLINE

15.1 Disciplinary Process

- (a) Matters of discipline are dealt with in line with Bowls England Regulation 9. The Executive Committee may warn or expel any Member who offends against the rules of the Club or whose conduct is such as to bring the Club into disrepute, or otherwise in the opinion of the Executive Committee, renders the Member unfit for membership of the Club. In accordance with the Bowls England regulation on expulsion, the Executive Committee may provide that expulsion from the club should not prevent the member being admitted to membership of any other club or to be permitted to practice bowls or to have access to any club affiliated to Bowls England.
- (b) Before any such Member is expelled, the Honorary Secretary must give the member fourteen days written notice to attend a meeting of the Executive Committee and must inform the Member of the complaints made against him or her. At any such meeting, the Member will be entitled to have in attendance a friend or representative to speak on his or her behalf or if he or she does not wish to attend, deliver written submissions. No Member shall be expelled unless he or she has first had an opportunity to appear before the Executive Committee and answer complaints made against him or her. If, upon considering the Member's representations, a majority of the Executive Committee present at the meeting does not consider that his or her continuing membership of the Club is appropriate, he or she will be advised of this in writing within seven days of the meeting,
- (c) A Member thereafter has 14 days to lodge with the Honorary Secretary written notice of his or her desire to appeal against the Executive Committee's decision. Upon receipt of such notice of appeal, the Honorary Secretary will assemble an Appeal Board to consider the appeal (see section 14.2(a)). The date, venue and composition of the Appeal Board will be fixed for the consideration of the appeal, details of which will be communicated to the Member at least 7 days in advance. Any Member appearing before an Appeals Board may object to any one Member, who shall then be replaced. The Executive Committee Secretary shall attend meetings of the Appeals Board, but only to advise on procedures and matters concerning the Constitution and to record decisions reached by the Appeals Board. The Executive Committee Secretary shall not take part in Appeal Board discussions nor express a view on the matter before the Board. The Member will be free to attend before the Appeal Board to outline his or her case or submit written representations and will be entitled to have in attendance a friend or representative to speak on his or her behalf. The Appeal

Board's decision will be final and will be communicated to the Member in writing within 14 days,

- (d) No Member whose membership has been terminated under this rule may be introduced by any other Member as a visitor to any part of the Club premises.

16 CLUB REGULATIONS

16.1 Introduction of Regulations

The Executive Committee may determine Regulations, which are consistent with the requirements of this Constitution, covering prevailing fees, playing attire, procedures relating to usage of the green or clubhouse, or any other matters as the Executive Committee considers appropriate. In certain instances, in particular those regarding fees, the Executive Committee may consider that a Regulation requires ratification by the membership at a General Meeting..

16.2 Alteration of Regulations

Regulations may be rescinded or amended at any time by the Executive Committee, or by the membership at a General Meeting if this was the forum that ratified the regulation..

16.3 Recording Regulations

Regulations shall be recorded in a Regulations Register, maintained by the Club Secretary, which will be available to all members. This will indicate the Regulation text, the date on which it was introduced and the forum in which it was agreed or ratified..

17 THE BAR

The Bar is run in compliance with the licence issued by Royal Kingston and in accordance with the Licensing Act 2003.

18 DISSOLUTION

If at any general Meeting a resolution for dissolution of the Club is passed by a 2/3 majority of the votes cast (see rule 12.3 (b) ii.) the Executive 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 shall provide all the net assets of the Club to the Surrey Bowling Association for use in amateur community bowling, and on the completion of such the Club will be dissolved.

19 INDEMNITY

Each Full Member, Life Member, Junior Member, Non-playing Member and member of the Executive Committee shall, except in the case of wilful default or fraudulent acts or omissions, be indemnified by and out of the funds of the Club against any loss, damage, expenses or liability incurred by reason of or in connection with any legal proceedings instituted against them or any of them for any act done, omitted or suffered in relation to the performance of any of their duties in respect of the Club

20 AUDITORS

Two Auditors, who shall not be a member of the Executive Committee, shall be elected at the Annual General Meeting, and shall examine and report on the annual Statement of Accounts and Balance Sheet. The Auditors shall at all reasonable times have access to the books and accounts of the Club and shall be entitled to any information required relating to them or to any matter deemed necessary or desirable for audit purposes.

21 TRUSTEES

The Executive Committee can from time to time, appoint two or more Trustees of the Club. The trustees so appointed shall hold office until death or resignation or until removed from office by the Executive Committee. The Trustees so appointed shall hold all property of the Club entrusted to them by the Executive Committee UPON TRUST for the members for the time being of the Club and shall upon the directions of the Executive Committee sign all leases, agreements or other documents that may from time to time be considered by the Executive Committee as necessary on behalf of the Club.

22 ALTERATIONS TO CONSTITUTION

This Constitution may be rescinded or amended only by a resolution passed by a two-thirds majority of the number of votes cast (see Rule 12.3 (b) ii) at an Annual General Meeting or a Special General Meeting convened for that purpose at which more than one third of members eligible to vote are present..