

# **SPRING PARK SHIRLEY BOWLING CLUB**

## **CONSTITUTION**

**September 2019**

**(Revision 3, November 2023)**

## 1: Title and Objectives

- 1.1 The name of the Club shall be 'SPRING PARK SHIRLEY BOWLING CLUB' (hereinafter referred to within this constitution as the 'Club') and will include a Men's Section and a Ladies Section.
- 1.2 The Club shall be affiliated to Bowls England and Bowls Surrey.
- 1.3 The objectives of the Club are to provide facilities for, and to promote and foster participation in, the sport of outdoor flat green bowls in Croydon, providing opportunities for recreation and competition.
- 1.4 The Club shall adopt and conform to Bowls England Rules & Regulations and the current Laws of the Sport of Bowls.

## 2: Membership

2.1 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.

### 2.2 Class of Membership

Full Member  
Social Member  
Junior Member (under 18 years of age)  
Honorary Life Member  
Guest Member  
Temporary Member (Visitors are classed as temporary members by signing the Visitors Book.)

## 3: Officers of the Club

- 3.1 The Officers of the Club shall be Full Members of the Club and shall consist of:-

Chairperson  
Honorary Secretary  
Honorary Treasurer

- 3.2 Election of Officers

- 3.2.1 The Officers shall be elected at the Annual General Meeting of the Club from, and by, the Full Members.
- 3.2.2 All Officers are elected for a period of three years but may be re-elected to the same office or another office the following year.

## 4: Men's and Ladies Sections

- 4.1 The Men and Ladies shall be organised for bowling matters in separate sections. Club rules will apply to both sections and to be consistent with the Constitution of SPSBC and Rules of BE and BS.

## 5: Management Committee

- 5.1 The affairs of the Club shall be controlled by a Management Committee (hereinafter referred to within this constitution as the 'Committee') comprising the Officers referred to in 3.1 above and members elected to Club positions at the Annual General Meeting, namely, Ladies Captain, Ladies Vice Captain and Ladies Match Secretary, Men's Captain, Men's Vice Captain and Men's Match Secretary. All to serve on the Committee for 1 year. In addition each section shall nominate 1 Full Member to represent all their playing members and who will also be elected at the Annual general Meeting and to serve on the Committee for 1 year. The Committee shall meet at agreed intervals and not less than four times per year. Six Members shall form a quorum.

Other members who have a role in the Club/Section will be invited to attend meetings if there are items connected to their responsibilities to discuss.

- 5.2 Management Committee Meetings

5.2.1 Any conflict of interest must be declared to the Chairperson (or other nominated person) prior to the start of the meeting. The Chairperson (or other nominated person) will determine if the person may remain in the meeting and/or vote when the item is discussed.

5.2.2 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.

- 5.3 Duties of the Management Committee

5.3.1 To control the affairs of the Club on behalf of the Members.

5.3.2 To keep accurate accounts of the finances of the Club through the Treasurer. These should be available for reasonable inspection by Members and should be examined by an Independent Examiner before every AGM.

In particular the Committee shall ensure that the 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.

5.3.3 To co-opt additional members if the Committee considers it necessary. Co-opted members shall not be entitled to vote on the committee.

- 5.3.4 To make Rules providing such Rules are not inconsistent with this Constitution and the Rules of Bowls England and Bowls Surrey.
- 5.3.5 To make decisions on the basis of a simple majority vote. In the case of equal votes the Chairperson (or or other nominated person) shall be entitled to a second and casting vote.
- 5.4 The Committee, or any person duly delegated by the Committee to act as agent for the Club or its Members, shall be entitled to recover any out of pocket expenses incurred on Club business.
- 5.5 Nomination of Honorary Life Members by Committee
  - 5.5.1 The right of nomination for election as an Honorary Life Member shall be restricted to the Committee and shall be subject to the approval of members at an AGM.

## 6: General Meetings

- 6.1 The Annual General Meeting of the Club shall be held not later than the end of October each year. A minimum of 21 clear days' written notice of the AGM shall be given to Members. Members must advise the Secretary in writing of any business to be considered at the AGM at least 14 days before a meeting. The Secretary shall circulate or give notice of the agenda for the meeting to each member not less than 7 days before the meeting. This may be either by post or electronically.
- 6.2 The business of the AGM shall be to:-
  - 6.2.1 Confirm the minutes of the previous AGM and any General Meetings held since the last AGM.
  - 6.2.2 Receive the examined accounts for the year from the Treasurer.
  - 6.2.3 Agree the Annual Subscriptions for full and social membership.
  - 6.2.4 Receive the Annual Report of the Committee from the Secretary.
  - 6.2.5 Elect the Officers of the Club.
  - 6.2.6 Confirm Members to serve on the Management Committee.
  - 6.2.7 Elect the Independent Accounts Examiner.
  - 6.2.8 Receive reports from the Men's and Ladies Sections.
  - 6.2.9 Transact such other business received in writing by the Secretary from Members 14 days prior to the meeting and included on the Agenda.
- 6.3 Only Full Members and Honorary Life Members shall vote at any General Meeting of the Club. Other members may attend and speak but are not entitled to vote.

- 6.4 Voting, except upon the election of members of the Committee, shall be by show of hands.
- 6.5 In the case of an equality of votes the Chairman (or other nominated person) shall have a second or casting vote, on any matter.
- 6.6 Nomination of candidates for election of Officers should be made in writing to the Secretary not later than the last day of the season.
- 6.7 Nomination of candidates for the Management Committee shall be as proposed by the Sections and ratified at the AGM.
- 6.8 A Special General Meeting may be convened, either by instructions from the Committee or upon a written request addressed to the Honorary Secretary and signed by at least 10 Full Members. At least twenty one days notice of the meeting shall be given.
- 6.9 The Chair will be taken by the Chairperson at all General Meetings or, in his/her absence, by a deputy appointed by the Members attending the meeting.
- 6.10 A quorum for a General Meeting shall be 33% of the Full Members of the Club.

## **7: Alterations to the Constitution**

- 7.1 Any proposed alterations to the Club's Constitution may only be considered at an Annual General Meeting, or a Special General Meeting, convened with the required written notice of the proposal. Any alteration or amendment must be duly proposed and seconded. Such alterations shall be passed, if supported, by not less than two-thirds of those Full Members present at the meeting, assuming that a quorum has been achieved.
- 7.2 Any member wishing to move such a resolution at an AGM shall give notice thereof in writing to the Club Secretary not less than 21 days before the date of the meeting.

## **8: Indemnity Clause**

### **8.1 Members' indemnification of Committee**

- 8.1.1 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 authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Club.

- 8.2 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.

[RIDER 1]

Save in any such case where any such costs, expenses and liabilities arise in connection with any negligence, default, breach of duty or breach of trust.

[RIDER 2]

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

## 9: Limitation of Club Liability

- 9.1 All references to the Club in this Section shall mean each and every individual member of the Club from time to time.
- 9.2 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 members of the Club.”*

## 10: Discipline

Paragraph deleted.

## 11: Legal Requirements and Policies

- 11.1 The Club adopts and follow all Policies and Guidelines approved by Bowls England alongside the UK Anti-Doping Rules and all procedures set out in Bowls England Regulation 9, 9A and 9B. Our club and members will abide with all sanctions, recommendations and/or decisions from the Safeguarding Case Management Panel and/or National Disciplinary Panel.

## 12: Dissolution

- 12.1 If, at any General Meeting of the Club, a resolution be passed calling for the dissolution of the Club, the Secretary shall immediately convene a Special General Meeting to be held not less than one month thereafter to discuss and vote on the resolution.
- 12.2 If, at that Special General Meeting, the resolution is carried by at least two-thirds of the 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.
- 12.3 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.
- 12.4 Upon dissolution of the Club the Committee shall give or transfer the net assets remaining to one or 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 Bowls England for use by them in related community sports.

## 13: Exceptional circumstances

13.1 Should exceptional circumstances arise, which in the opinion of the Committee, prevent an Annual or Special General Meeting being held, the Committee shall determine what alternative arrangements should be made as it deems necessary. Any decisions made in accordance with these arrangements shall be effective immediately. They will continue to apply until any subsequent General Meeting. If any other matters arise as a result of exceptional circumstances which are not provided for in this Constitution, the Committee shall deal with such matters as it deems necessary.

Note: This document is based on the BE Model Constitution amended and modified to suit the requirements of the Club.

Revision 1 Nov 2020. 2: Membership and 8: Indemnity Amended.  
Revision 2 Nov 2022. 13: Exceptional Circumstances Added.  
Revision 3 Nov 2023. 4: Men's and Ladies Sections, 4.1 Amended, 4.2 Deleted.  
5: Management Committee, 5.1 Amended.  
10: Discipline, Deleted.  
11: Legal Requirements and Policies, 11.1 Amended.