

E.S.M.B.A. RULES & CONSTITUTION

1. TITLE

The Association shall be called the English Short Mat Bowling Association (E.S.M.B.A.)

2. OBJECTS

The objects of the E.S.M.B.A. are as follows:

- (a) To promote, foster and regulate the sport of short mat bowls in England
- (b) To conduct and control National Competitions and Championships
- (c) To license all open competitions which the Management Committee consider to be commercial promotions
- (d) To arrange international competitions in co-operation with the kindred national associations and to select the England team(s) to play in all such competitions.
- (e) To act at all times in the best interests of its members and to resolve where necessary any dispute amongst its members.

3. MEMBERSHIP

- (a) Membership of the E.S.M.B.A. shall be open to all County Associations whose rules and constitutions have been approved by the Management Committee. All such County Associations must have also complied with the condition laid down in 5 (b). A County shall be an area of such size that it merits County Association status. Size may relate to either a geographic area or by population numbers.
- (b) Where an existing Region or Association has not yet developed its County structure, then it may continue to be organised on a regional basis and its regional committee shall be recognised by the E.S.M.B.A. All the Counties contained in such a region shall be considered as severable and its County Association may register directly with the E.S.M.B.A.
- (c) The following are the recognised Counties of the Association:

Avon, Buckinghamshire, Cambridgeshire, Cheshire, Cornwall, County Durham, Derbyshire, Devon, Dorset, East Sussex, Essex, Gloucestershire, Greater Manchester, Hampshire, Herefordshire, Hertfordshire, Humberside, Isle of Wight, Kent, Lancashire, London, Merseyside, Norfolk, North Yorkshire, Northamptonshire, Oxfordshire, Shropshire, Somerset, Staffordshire, Suffolk, Surrey, Warwickshire, West Midlands, West Sussex, West Yorkshire, Wiltshire, Worcestershire.

- (d) Any area which considers it should merit County status must in the first instance inform the E.S.M.B.A. Administration Officer of its intentions to apply at the following Annual General Meeting. The E.S.M.B.A. Administration Officer must notify all member County Associations of the application at least 28 days before the date of the Annual General Meeting.

All such applications must be submitted by 31 December in each year and shall be submitted to the Annual General Meeting for approval or otherwise.

- (e) Unless there are material changes in an application for membership which has been rejected in two consecutive years, future applications from this entity will not be considered for a further three years as from 1st September 2005.
- (f) County Associations must notify the E.S.M.B.A. Administration Officer in writing of any changes to their County Association constitution and provide a copy of the revised constitution for the E.S.M.B.A. records within 140 days of the changes. Failure to do so may result in the suspension of the County Association until the revised constitution is submitted to the E.S.M.B.A. Administration Officer.
- (g) Individual players must register with the E.S.M.B.A. via one club only. A club must be a member of one County Association only. In the first instance this should be the Association of the County in which it is geographically situated, but a club may apply for membership to an adjacent County Association if it deems it to be appropriate.

In this instance the club must inform its geographic County Association of its application and provided no objection is raised then the application may proceed. In the case of an objection the club may refer the matter to the E.S.M.B.A. Management Committee. Similarly if no objection is raised, but the application is refused, then the matter may be placed before the E.S.M.B.A. Management Committee.

- (h) No County Association may organise or be involved with any league or competition in which non E.S.M.B.A. recognised clubs or players are involved.
- (i) The E.S.M.B.A. may also elect individual honorary or life members in recognition of their services to the sport of short mat bowls.
- (j) Player registration is open to people of all ages, both sexes, regardless of disability, upon receipt of a correctly completed registration form and application fee, subject to the approval of the E.S.M.B.A. Management Committee.
- (k) All counties must have a valid Public Liability Insurance cover as a condition of membership to the ESMBA. A copy of the valid relevant certificate is required to be produced to the ESMBA unless cover is via the ESMBA Insurance scheme.

4. FEES AND SUBSCRIPTIONS

- (a) A yearly subscription shall be fixed at each Annual General Meeting for all member associations, clubs and individual players.
- (b) Registration is effective from 1 September each year to 31 August the following year and will be assumed to have continued, provided the Annual subscription is received by the E.S.M.B.A. Administration Officer by 30 November – otherwise it will be deemed to have lapsed as of 31 August. Failure to meet the deadline will mean that all rights and privileges shall be forfeited until the whole of the arrears has been paid.

Any renewals or new players registered after 31 January will mean that all such players will be excluded from all the Association's National Championships in that particular season.

- (c) In addition to subscriptions, all County Associations must supply the names and details of all clubs and players in their Association. All such details must be supplied at the same time as their payments are made. No personal information gathered will be passed on to third parties.
- (d) Counties registering less than 10 players will pay a County Fee equivalent to the registration fee for 10 members and this fee will include the registration fee of those said members.

5. ADMINISTRATION AND STRUCTURE

- (a) The E.S.M.B.A. shall be structured on a county basis. The E.S.M.B.A. Administration Officer shall communicate directly with the County Association Secretary and pass to him/her the précis of the minutes of all E.S.M.B.A. Committee Meetings held throughout the year.
- (b) The minimum number of clubs needed to form a County Association shall be four. Counties of less than four clubs will be known as "affiliate designate" and will be recognised by the E.S.M.B.A., but will have no voting rights.
- (c) The affairs of the E.S.M.B.A. shall be conducted by a Management Committee consisting of the office bearers of the E.S.M.B.A. plus any additional members needed to make a Committee of twelve. The E.S.M.B.A. Management Committee shall not include more than three people from any one County Association.
- (d) The E.S.M.B.A. Management Committee shall be appointed at each Annual General Meeting to serve for a period of one year. The members shall hold office from the conclusion of the Annual General Meeting at which they are appointed to the conclusion of the following Annual General Meeting.
- (e) A quorum shall consist of not less than six E.S.M.B.A. Management Committee members.

- (f) Each member of the E.S.M.B.A. Management Committee present shall be entitled to one vote with the exception of the Administration Officer. In the event of a tied vote the Chairman of the meeting shall have a second or casting vote.
- (g) The E.S.M.B.A. Management Committee shall have the power to fill any vacancy arising amongst the Officers or Committee during the year.
- (h) The E.S.M.B.A. Management Committee shall have the power to submit notices of motion and make recommendations to the Annual General Meeting.
- (i) The E.S.M.B.A. Management Committee shall have the power to set up special Committees at any time to deal with specific matters.
- (j) The Management Committee shall meet as often as the business of the Association requires. The Chairman shall be empowered to call all such E.S.M.B.A. Management Committee meetings, of which not less than 21 days notice must be given. Alternatively, an E.S.M.B.A. Management Committee meeting may be called on special request of not less than six of its members.
- (k) Office bearers of the Association:
President, Chairman, Administration Officer, Committee Secretary, Competition Organiser, Treasurer, Development Officer, Umpires Director, Coaching Director.
- (l) Administration Officer
1. An Administration Officer shall be appointed at each AGM to serve for a period of one year. The term of office will begin from the conclusion of the General Meeting at which they are appointed to the conclusion of the following AGM.
 2. The ESMBA Administration Officer's duties and responsibilities shall be agreed by the ESMBA General Committee and reviewed annually at its first meeting after the appointment of the Administration Officer.
 3. A service level agreement shall be published on the ESMBA website and a copy shall be sent to all County secretaries.
 4. The ESMBA Administration Officer, in their role, shall not be entitled to vote at any ESMBA Management Committee or General meetings. However their attendance and input is a prerequisite of the role.
 5. The ESMBA Administration Officer shall report directly to the ESMBA Chairman and be answerable to the the membership for their actions during the year.
 6. The ESMBA Administration Officer must not hold another committee position on the ESMBA Management Committee whilst in post.

7. The ESMBA Administration Officer shall present a report to the AGM covering the year's activities.

8. An administration fee for the role of ESMBA Administration Officer shall be agreed at the AGM for the forthcoming year. The fee shall be payable on a quarterly basis apart from the final quarter which shall only be paid on the approval of the AGM to reflect the performance over the last 12 months.

(m) The E.S.M.B.A. Management Committee shall have the power to increase the number of officers in the E.S.M.B.A., but all such increases must be ratified at the following Annual General Meeting.

(n) Duration of Office

On retiring or failing to be re-elected the President shall be offered the position of Immediate Past President. At the conclusion of a current President's tenure the Immediate Past President assumes the title of Past President.

6. ANNUAL AND OTHER GENERAL MEETINGS

(a) The E.S.M.B.A. shall have an Annual General Meeting each year at which the business of the E.S.M.B.A. shall be reviewed, along with the election of officers and any constitutional changes. The Annual General Meeting shall be held during the month of July or the month of August in each year.

(b) Every five years, normally immediately following the AGM for that year, a general meeting called the Rules Revision Meeting shall be held for the review of any changes to the playing rules of the E.S.M.B.A.. No new playing rules may be introduced between Rules Revision Meetings.

(c) The following business shall be conducted at the Annual General Meeting.

- i. The receipt of reports from the Chairman, Development Officer, Administration Officer, Competition Officer, Umpires Director and Coaching Director.
- ii. The receipt of a report from the Treasurer which must include the full audited accounts of the Association for the year ended 30 April.
- iii. Propositions to change the Constitution.
- iv. The election of Officers of the Association.
- v. The appointment of an Administration Officer for the following year and the agreement of the remuneration for this post.
- vi. The appointment of auditors to the Association.
- vii. The approval of Management Fees for the Officers of the Association for the current financial year.
- viii. The approval of the yearly subscription for member associations, clubs and individual players for the year commencing 1 September of the year following the AGM.

- ix. The approval of applications for recognition of County status.
- (d) All notices of motion must be received by the Administration Officer on or before the last day of December for submission to the AGM or RRM for the years in which it is held. The following timetable shall then be followed:
- 31st January - Vetting and acceptance of motions including reference back to proposers where a subject matter is duplicated or where some form of rewriting is needed.
- 7th February - Despatch of details of motions to County Contacts. Motions to be passed to the ESMBA Administration Officer for publishing on the ESMBA website.
- 31st March - Receipt of proposed amendments to motions.
- 21st April - Vetting and acceptance of amendments including reference back to proposers as above.
- 28th April - Despatch of proposed amendments to County Contacts. These amendments to be passed to the ESMBA webmaster for publishing on the ESMBA website.
- Unless there are material changes in the notice of motion which has been rejected in two consecutive years future notices of motion will not be considered for a further three years.
- All nominations for office and committee members must be received in writing by the E.S.M.B.A. Administration Officer on or before the last day of February in each year. If no valid nominations have been submitted then nominations from the floor of the meeting may be made on the day providing that the nominee is present at the meeting.
- (e) Both general meetings shall be open to all County Associations, their member clubs and individual players. All bona-fide County Associations, Clubs and players may submit notices of motions, amendments to motions and nominations for office.
- Whilst the meeting is open to all, each County Association shall be entitled to send two delegates with power to vote. Members of the E.S.M.B.A. Management Committee shall all be entitled to one vote each. In the event of equality of voting the Chairman of the meeting shall have a second or casting vote. Proxy voting will not be allowed and only the votes cast on the day will count.
- (f) Changes to either the constitution or playing rules of the game shall require a majority of at least two thirds of the votes cast. All other voting shall be concluded by a simple majority decision
- (g) A Special General Meeting may be called at any time by the E.S.M.B.A. Management Committee. A Special General Meeting must also be called by

the Administration Officer within 56 days of the receipt by the Administration Officer of a request for such a meeting supported by at least ten member County Associations. The request for such a meeting must state the purpose of the meeting and any motion which is to be discussed. No other business shall be transacted at such a meeting. The voting procedures for such a meeting shall be as specified in 6(e) and 6(f).

- (h) The quorum shall be at least 30% of the delegates entitled to vote at the meeting and in the absence of a quorum within 30 minutes of the time for which the meeting is called it shall be adjourned until such other day, time and place as the E.S.M.B.A. Management Committee shall determine.

7. APPEALS

- (a) The E.S.M.B.A. Management Committee shall be empowered to adjudicate on any dispute with regard to the constitution and the playing rules of the E.S.M.B.A. and their decision shall be final.
- (b) Any Registered Player expelled, suspended or otherwise penalised by a Club, having appealed unsuccessfully against such sanction or penalty to the County Association or any Club whose decision has been the subject of any such appeal to the County Association which is dissatisfied with the outcome thereof or any Registered Player or Club expelled, suspended or otherwise penalised by a County Association or Sub-Committee thereof or any Registered Player or Club otherwise affected by and dissatisfied with the decision of any such body, may lodge a further appeal, in writing, to the E.S.M.B.A. through the General Secretary.
- (c) Any such appeal shall be lodged by the appellant within twenty-one days of the decision appealed against being advised in writing to the Club or to the member concerned.
- (d) The grounds of the appeal shall be fully stated in writing and the appeal shall be accompanied by a deposit of £25 which may be forfeited to the E.S.M.B.A. if the appeal is dismissed but which shall otherwise be refunded to the appellant.
- (e) The E.S.M.B.A. Management Committee or the Ad Hoc Committee delegated by the E.S.M.B.A. Management Committee to hold the enquiry may deal with the appeal on the papers or allow the parties to be heard under the Disciplinary and Appeals Procedure of the E.S.M.B.A. The decision of the E.S.M.B.A. Management Committee shall be final. Pending the hearing of any appeal any penalty or suspension shall not be operative until final adjudication thereon.
- (f) If any appeal is abandoned within forty-eight hours of a scheduled hearing or is dismissed, either after a hearing or on papers, then the E.S.M.B.A. Management Committee may, if it thinks it appropriate, make an award of costs and expenses against the appellant in such sum as the E.S.M.B.A. Management Committee considers appropriate. Until such time as the costs

and expenses are paid the appellant shall forfeit all rights, entitlements and recognition under this Constitution and shall be deemed to be suspended.

8. SEVERANCE OF MEMBERSHIP

The E.S.M.B.A. Management Committee shall be empowered to suspend or determine the membership or registration of any County Association or registered player.

9. CONDITIONS OF PLAY

The laws of the game governing Short Mat Bowls shall apply to all games. County Associations can, however, make or sanction such regulations as they deem necessary to govern their own internal competitions.

10. POWERS OF THE E.S.M.B.A. MANAGEMENT COMMITTEE

The E.S.M.B.A. Management Committee shall have the power to interpret the rules and constitution of the E.S.M.B.A. and deal with all matters not specifically provided therein.

In the event of unforeseen circumstances arising, the E.S.M.B.A. Management Committee shall be empowered to act as an emergency committee and take whatever action is deemed appropriate. All decisions of the emergency committee shall be immediately notified to the County Association Secretaries.

APPENDIX – CONSTITUTION AND RULE AMENDMENTS

Amendments to the Constitution or to the Playing Rules should be submitted in the following format:-

- State the precise section of the constitution or the precise rule to which the amendment refers and quote the existing wording in sufficient length that it is intelligible.
- State precisely how the wording is to be changed, including the paragraph numbering and any subsequent renumbering that may be needed.
- Quote the wording of the revised section or rule.
- State the rationale for the proposed change explaining why it is needed and/or what it will achieve.

Remember to consider whether the change will affect any other sections of the constitution or rules and if necessary propose consequential changes needed if the main proposal is carried.

Example

Amendment to Constitution Paragraph 5 ADMINISTRATION AND STRUCTURE sub-paragraph (b)

“The minimum number of clubs needed to form a County Association shall be four. Counties of less than four clubs will be known as “affiliate designate” and will be recognised by the E.S.M.B.A., but will have no voting rights.”

Delete “four” and replace with “six” in both sentences.

This sub-paragraph will then read –

“The minimum number of clubs needed to form a County Association shall be six. Counties of less than six clubs will be known as “affiliate designate” and will be recognised by the E.S.M.B.A., but will have no voting rights.

Rationale:

County Associations need to have a minimum of six clubs in membership to be viable.

Note: This is an example only and does not indicate any possible future change.